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ACTS  
OF THE  
PARLIAMENT  
OF THE  
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE  
SEVENTH AND EIGHTH YEARS OF THE REIGN OF HIS MAJESTY  
KING EDWARD VII.

BEING THE  
FOURTH SESSION OF THE TENTH PARLIAMENT

*Begun and holden at Ottawa, on the Twenty-eighth day of November, 1907  
and closed by Prorogation on the Twentieth day of July, 1908*



HIS EXCELLENCY THE  
RIGHT HONOURABLE SIR ALBERT HENRY GEORGE, EARL GREY  
GOVERNOR GENERAL

VOL. II.  
LOCAL AND PRIVATE ACTS

OTTAWA  
PRINTED BY SAMUEL EDWARD DAWSON  
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
ANNO DOMINI 1908







## 7-8 EDWARD VII.

### CHAP. 78.

#### An Act to incorporate the Alberta and British Columbia Railway Company.

[Assented to 20th July, 1908.]

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House of  
Commons of Canada, enacts as follows:—

**1.** James J. O'Connor, James A. Little, J. A. Crozier, J. J. Carrick and W. S. Ruttan, all of the town of Port Arthur, in the province of Ontario, together with such other persons as become shareholders of the company, are hereby incorporated under the name of "The Alberta and British Columbia Railway Company," hereinafter called "the Company." Incorporation.  
Corporate name.

**2.** The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

**3.** The capital stock of the Company shall be one million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital.  
Calls.

**4.** The head office of the Company shall be in the town of Port Arthur, in the province of Ontario. Head office.

**5.** The annual meeting of the shareholders shall be held on the first Tuesday in September. Annual meeting.

**6.** The number of directors shall be not less than five, nor more than nine, one or more of whom may be paid directors. Directors.

Line of  
railway  
authorized.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches, from a point on the international boundary line between the United States of America and the province of British Columbia, at or near the place where the Kootenay river crosses the said boundary line, thence in a northerly direction, following the valley of the Kootenay river to a point at or near Elko, in the said province of British Columbia; thence in a northeasterly direction, following the valley of the North Kootenay river and the South Fork of the Old Man river, to a point at or near Cowley, in the province of Alberta; thence in a northerly direction, following the valley of the Old Man river, through the gap in the Livingstone Range; thence following the valley of the north-west branch of the Livingstone river and along the Highwood river, in an easterly and northeasterly direction, to a point at or near Calgary, on the main line of the Canadian Pacific Railway.

Issue of  
securities.

8. The securities issued by the Company shall not exceed forty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements  
with other  
companies.  
R. S., c. 37.

9. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Canadian Pacific Railway Company, the Calgary and Edmonton Railway Company, and the Grand Trunk Pacific Railway Company.

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## 7-8 EDWARD VII.

### CHAP. 79.

#### An Act to incorporate the Alberta and Brazeau River Railway Company.

[Assented to 17th March, 1908.]

**W**HEREAS a petition has been presented praying that it Preamble.  
be enacted as hereinafter set forth, and it is expedient  
to grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House of  
Commons of Canada, enacts as follows:—

**1.** Georg Wilhelm Büxenstein and Hermann Danziger, both Incorporation.  
of the city of Berlin, Germany; Onesiphore Ernest Talbot, of  
St. Michel, in the province of Quebec, and Martin Cohn and  
Harold Buchanan McGiverin, both of the city of Ottawa, in  
the province of Ontario, together with such persons as become  
shareholders in the company, are incorporated under the name  
of "The Alberta and Brazeau River Railway Company," here- Corporate name.  
inafter called "the Company."

**2.** The undertaking of the Company is declared to be a Declaratory.  
work for the general advantage of Canada.

**3.** The persons named in section 1 of this Act are constituted Provisional directors.  
provisional directors of the Company.

**4.** The capital stock of the Company shall be one million Capital stock.  
dollars. No one call thereon shall exceed ten per cent on the  
shares subscribed.

**5.** The head office of the Company shall be in the city of Head office  
Ottawa.

**6.** The annual meeting of the shareholders shall be held on Annual meeting  
the second Monday in September.

## Directors.

**7.** The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

## Lines of railway described.

**8.** The Company may lay out, construct and operate the following lines of railway, of the gauge of four feet eight and one-half inches:—

(a) From a point on the line of the Calgary and Edmonton Railway between Olds and Innisfail, thence northwesterly by the most feasible route along the valleys of the Red Deer, Raven and Clearwater rivers to a point at or near Rocky Mountain House on the North Saskatchewan river, thence westerly along the North Saskatchewan river to a point in Kootenay plains in the Rocky Mountains, in the province of Alberta;

(b) From a point on or near the North Saskatchewan river between Bighorn and Sheep rivers, thence in a northwesterly direction to Brazeau river, thence in a northerly direction to and along McLeod river to a point on the line of the Grand Trunk Pacific Railway.

## Special powers.

**9.** The Company may, for the purposes of its undertaking and in connection with its railway,—

## Vessels.

(a) construct, acquire, charter and dispose of steam and other vessels and operate them on any navigable waters tributary to the territory traversed by the railway, and may enter into agreements with owners of vessels, boats and ferries for any such purpose, and may, subject to *The Railway Act*, levy and collect tolls and charges for any services connected therewith ;

## Hotels, etc.

(b) build, acquire or lease buildings for hotels, restaurants or houses of entertainment along the line of its railway, and may carry on all such business in connection therewith as is necessary or expedient for the comfort or convenience of travellers, and may lease any part of such buildings for any of such purposes;

## Warehousing.

(c) carry on the business of forwarding agents, wharfingers and warehousemen.

## Issue of securities on railway.

**10.** The securities issued by the Company in respect of its railway shall not exceed forty thousand dollars per mile, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

## Issue of securities on other property.

**11.** The Company may, from time to time, issue bonds, debentures, debenture stock or other securities for the construction or acquisition of any vessels, properties or works, other than the railway which the Company is authorized to construct, acquire or operate; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of such vessels, properties and works.



2. For the purpose of securing the issue of such bonds, debentures, debenture stock or other securities, the Company may execute mortgages upon such property, assets, rents and revenues of the Company, present or future, other than the railway, as is described therein. Mortgages to secure.

3. All the provisions of sections 136 to 148, both inclusive, of *The Railway Act* shall, so far as they are applicable, apply to such bonds, debentures, debenture stock or other securities or mortgages. R.S., c. 37.

**12.** The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and connect its own lines with the lines of, or lease its own lines to, any such companies. Telegraph and telephone lines.

2. No toll or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time. Rates to be approved.

3. Part II. of *The Telegraphs Act* shall apply to the telegraphic business of the Company. R.S., c. 126.

**13.** Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Grand Trunk Pacific Railway Company, the Calgary and Edmonton Railway Company, the Canadian Pacific Railway Company and the Canadian Northern Railway Company, or any of them. Agreements with other companies.







## 7-8 EDWARD VII.

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### CHAP. 80.

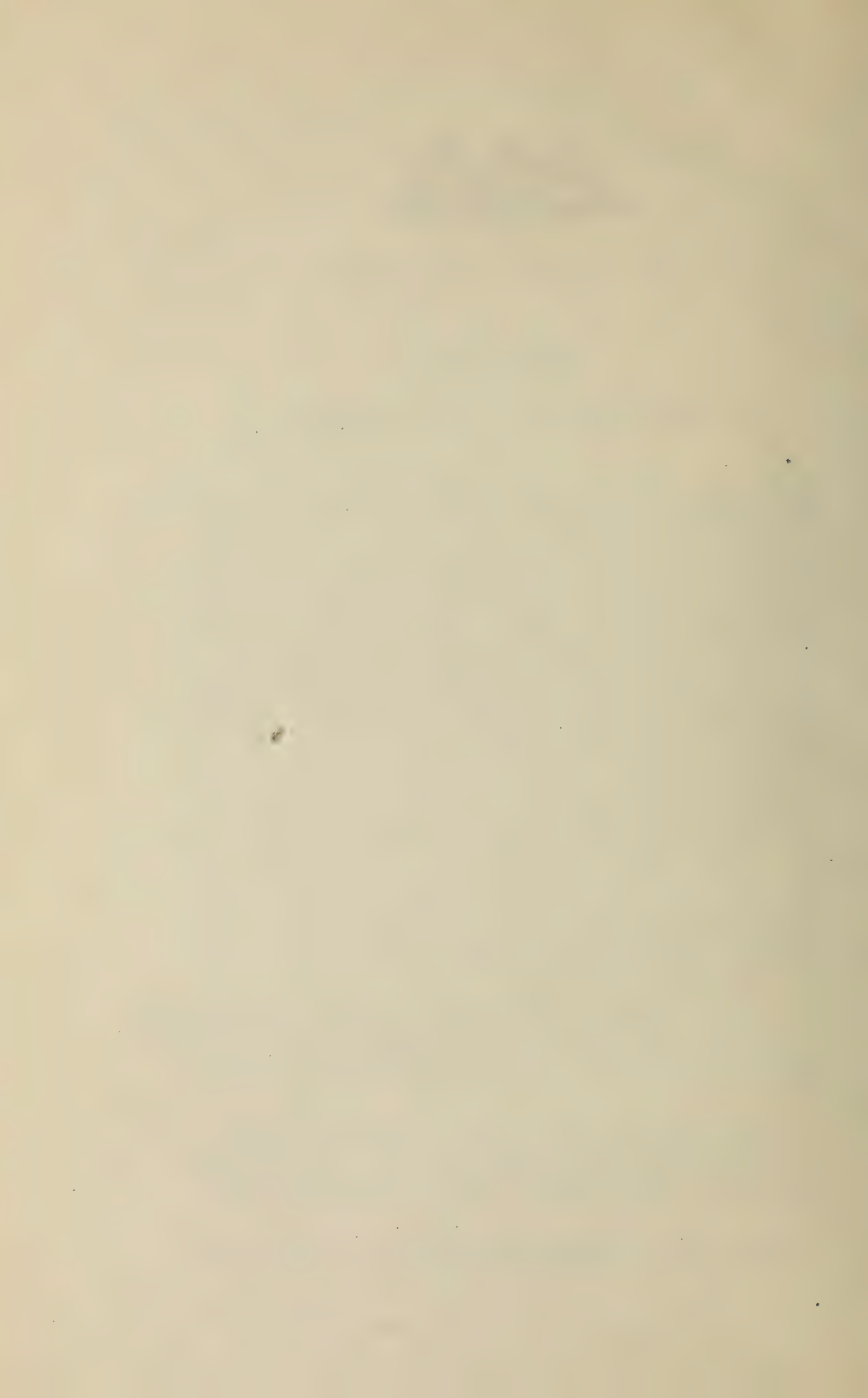
#### An Act for the relief of Mary Alexander.

[Assented to 20th July, 1908.]

**W**HEREAS Mary Alexander, presently residing at the city Preamble.  
of Toronto, in the province of Ontario, wife of Edward  
E. Alexander, of the said city, labourer, has by her petition  
alleged, in effect, that they were lawfully married on the eigh-  
teenth day of March, A.D. 1901, at the said city, she then being  
Mary Mooney, spinster; that the legal domicile of the said  
Edward E. Alexander was then and is now in Canada; that at  
the said city of Toronto, on or about the fifteenth day of Decem-  
ber, A.D. 1907, he was living in adultery with a certain Mrs.  
Meadows, and had been so living with and committed adultery  
with the said person at the said city at divers times before then;  
that she has not connived at nor condoned the said adultery;  
that there has been no collusion, directly or indirectly, between  
him and her in the proceedings for divorce; and whereas by her  
petition she has prayed for the passing of an Act dissolving her  
said marriage, authorizing her to marry again, and affording  
her such other relief as is deemed meet; and whereas the said  
allegations have been proved, and it is expedient that the prayer  
of her petition be granted: Therefore His Majesty, by and with  
the advice and consent of the Senate and House of Commons  
of Canada, enacts as follows:—

1. The said marriage between Mary Alexander and Edward Marriage  
dissolved  
E. Alexander, her husband, is hereby dissolved, and shall be  
henceforth null and void to all intents and purposes whatso-  
ever.

2. The said Mary Alexander may at any time hereafter Right to  
marry again.  
marry any man whom she might lawfully marry if the said mar-  
riage with the said Edward E. Alexander had not been solem-  
nized.







## 7-8 EDWARD VII.

### CHAP. 81.

#### An Act to incorporate the Anglo-Canadian and Continental Bank.

[Assented to 16th June, 1908.]

**W**HEREAS the persons hereinafter named have by their Preamble.  
petition prayed that an Act be passed for the purpose of  
establishing a bank in the city of Montreal, in the province of  
Quebec, and it is expedient to grant the prayer of the said  
petition: Therefore His Majesty, by and with the advice and  
consent of the Senate and House of Commons of Canada, enacts  
as follows:—

**1.** The persons hereinafter named, together with such others Incorporation.  
as become shareholders in the corporation by this Act created, Corporate name.  
are hereby constituted a corporation by the name of "The Anglo-  
Canadian and Continental Bank," hereinafter called "the Bank."

**2.** The capital stock of the Bank shall be two million five Capital.  
hundred thousand dollars.

**3.** The chief office of the Bank shall be at the city of Montreal, Chief office.  
in the province of Quebec.

**4.** E. A. Baynes, capitalist, E. G. Evans, capitalist, both of the Provisional directors.  
city of Montreal in the province of Quebec, George K. MacLeod,  
of the city of New York, U.S.A., capitalist, Frederick V. Wed-  
derburn, capitalist, and James M. Scovil, merchant, both of the  
city of St. John, in the province of New Brunswick, shall be the  
provisional directors of the Bank.

**5.** This Act shall, subject to the provisions of section 16 of Duration of charter.  
*The Bank Act*, remain in force until the first day of July, in  
the year one thousand nine hundred and eleven. R.S., 1906,  
c. 29, s. 16.

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most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 82.

#### An Act to incorporate the Architectural Institute of Canada.

*[Assented to 16th June, 1908.]*

**W**HEREAS the persons hereinafter named have by their Preamble.  
petition prayed that it be enacted as hereinafter set forth;  
and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent of  
the Senate and House of Commons of Canada, enacts as fol-  
lows:—

**1.** A. F. Dunlop, Maurice Perrault, Alcide Chaussé and Jos. Incorporation.  
Venne, of Montreal, Quebec; Edmund Burke, H. B. Gordon and  
Eden Smith, of Toronto, Ontario; S. Frank Peters and R. B.  
Pratt, of Winnipeg, Manitoba; J. W. H. Watts and David Ewart,  
of Ottawa, Ontario; Wm. H. Archer, of Vancouver, British  
Columbia; C. B. Chappell, of Charlottetown, Prince Edward  
Island; F. Daggendorfer, of Edmonton, Alberta; G. E. Fair-  
weather, of St. John, New Brunswick; H. E. Gates, of Halifax,  
Nova Scotia; W. W. Hilton, of Regina, Saskatchewan; R. P.  
Lemay, of Quebec, Quebec; H. C. McBride, of London, and L.  
Munro, of Hamilton, both in Ontario; W. Alban Marsden and  
A. Pirie, of Calgary, A. M. Calderon, E. C. Hopkins, P. L. James,  
Roland W. Lines, Jos. E. Wize and R. Percy Barnes, of Edmon-  
ton, and W. A. Whiddington, of Strathcona, all in Alberta; W.  
T. Dalton, S. M. Eveleigh, G. W. Grant, E. S. Mitton and C. O.  
Wickenden, of Vancouver, C. H. Clow, of New Westminster,  
and A. Maxwell Muir, of Victoria, all in British Columbia; A.  
Maxwell, of Holland, W. A. Elliott, W. H. Shillinglaw, Thos.  
Sinclair and W. C. Taylor, of Brandon, W. W. Blair, C. W. U.  
Chivers, Wm. Fingland, Jas. Chisholm, Jos. Greenfield, Sam.  
Hooper, G. W. Northwood, J. H. G. Russell and Dan Smith, of  
Winnipeg, all in Manitoba; W. E. Reid, of Riverside, R. A.  
Fréchet, C. Brousseau, Melville McKean and Albert Sincennes, of  
Moncton,

Moncton, R. W. Gilbert, of Sheffield, and A. E. Anderson and F. Neil Brodie, of St. John, all in New Brunswick; F. W. Spencer, of Glace Bay, L. R. Fairn, of Aylesford, W. J. Busch, S. P. Dumaresq and R. A. Johnson, of Halifax, and R. B. Whitten, of Sydney, all in Nova Scotia; N. G. Beggs and Thos. Kennedy, of Barrie, B. Dillon, of Brockville, A. J. C. McLean, of Chapleau, Jno. Wilson and F. T. Hodgson, of Collingwood, H. R. Halton and F. H. Eley, of Fort William, Frank Lent, of Gananoque, C. F. Burden, of Massey, E. D. Pitt, of Niagara Falls, S. K. Burt, of North Bay, F. J. Alexander, C. J. Burritt, E. L. Horwood, Robt. Massie, C. P. Meredith, W. E. Noffke and A. Le B. Weeks, of Ottawa, M. B. Aylesworth, of Port Arthur, Edward Demar, and R. Murdock, of Sault Ste. Marie, F. S. Baker, Chas. P. Band. J. A. Ellis, W. Connery, A. H. Gregg, J. A. Harvey, J. L. Havill, W. Ford Howland, W. G. Hunt, J. P. Hynes, W. Fry Scott, W. L. Symons, Jos. Weekselberger and A. F. Wickson, of Toronto, T. L. Nichols, of Welland, and Jno. M. Watt, of Windsor, all in Ontario; Chas. A. Reeves, of Maisonneuve, Chs. Brodeur, of Hull, L. A. Amos, U. J. Asselin, R. A. Brassard, D. J. Creighton, E. J. P. Courval, A. Arthur Cox, J. E. C. Daoust, Theo. Daoust, J. A. Godin, Michel Helbronner, G. A. Monette, Jos. Perrault, Alp. Piché, J. Z. Resther, Jos. Sawyer, J. Emile Vanier and Arthur Vincent, of Montreal, L. A. Auger, F. X. Berlinguet, Albert R. Décary, A. T. Dionne, David Ouellet, J. P. Ouellet, Thos. Raymond and E. M. Talbot, of Quebec, and Alp. Venne, of St. Lambert, all in Quebec; A. M. Fraser, of Indian Head, F. C. Clemesha, Geo. E. Hutchison, Ernest MacGlashen, W. R. Reilly, E. M. Storey and W. B. Van Egmond, of Regina, Sholto Smith, of Moosejaw, K. G. Anderson and G. E. Noble, of Prince Albert, and W. W. Lachance and Norman L. Thompson, of Saskatoon, all in Saskatchewan; W. F. Butler and W. H. Green, of St. John's, Newfoundland, and such other persons as are hereafter associated with them, are incorporated under the name of "The Architectural Institute of Canada," or "L'Institut d'Architecture du Canada," hereinafter called "the Institute."

Corporate  
name.

Head office. **2.** The head office of the Institute shall be in the city of Ottawa, or in such other place as is from time to time determined by a vote of two-thirds of the members of the Institute.

Objects. **3.** The objects of the Institute shall be to facilitate the acquirement and interchange of professional knowledge among its members, and more particularly to promote the acquisition of that species of knowledge which has special reference to the profession of architecture, and further to encourage investigation in connection with all branches and departments of knowledge connected with that profession.

Admission of members. **4.** The following persons only, who apply for admission to, and pay the entrance or admission fee and the subscription fee



required by the by-laws of, the Institute, may be admitted as members of the Institute:—

(a) Members in good standing of the Province of Quebec Association of Architects, the Ontario Association of Architects, the Alberta Association of Architects, the Manitoba Association of Architects, the Toronto Architectural Club, and the Regina Architectural Association;

(b) Persons not members of one of the associations or of the club above named, who have practised for two years as architects in Canada, each application being supported by an affidavit proving the qualifications of the applicant.

2. The council may also admit to membership any member in good standing of any Canadian, British or foreign association of architects, upon such member presenting his credentials, and paying the admission and subscription fees provided for by the by-laws of the Institute. Members of other associations.

5. The Institute may make regulations and by-laws for its direction and management, and also such rules as are deemed necessary for the maintenance of the honour and dignity of the members of the Institute. Regulations and by-laws generally.

2. The Institute may, by by-law, make regulations governing the admission of candidates for membership in the Institute. Admission of candidates.

6. The first twenty persons named in section 1 of this Act shall be the first council of the Institute. First council.

2. A meeting of the council shall be held within six months after the passing of this Act, for organization, the making of by-laws, the election of officers and the transaction of any other business that may arise. First meeting of council.

3. The first general meeting of the Institute shall be held during the year one thousand nine hundred and eight, in the city of Ottawa, at such time and upon such notice as the council decides, for the election of officers and members of the council, the adoption of by-laws and the transaction of the business of the Institute. First general meeting.

4. Subsequent general meetings shall be held as the by-laws of the Institute provide, but not less than once in each year, at the place decided on at a previous general meeting, and at such time and upon such notice as the council decides. Annual meetings.

7. The Institute may acquire and hold such real property as is necessary to carry out its objects; provided that the total value of such property held at any time for the actual use of the Institute shall not exceed two hundred thousand dollars. Real property. Proviso.

8. The Institute may affiliate with any society or association of architects having objects similar to those of the Institute. Affiliation with other associations.

Associations  
having  
provincial  
charters not  
affected.

9. Nothing in this Act shall be deemed to encroach upon the rights and privileges conferred upon any association of architects having a charter or which may hereafter have a charter from the legislature of any province of Canada.

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## 7-8 EDWARD VII.

### CHAP. 83.

#### An Act respecting the Ashcroft, Barkerville and Fort George Railway Company.

[Assented to 17th March, 1908.]

**W**HEREAS the Ashcroft, Barkerville and Fort George Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1906, c. 58.

**1.** The Ashcroft, Barkerville and Fort George Railway Company may commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete its said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

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## 7-8 EDWARD VII.

### CHAP. 84.

#### An Act respecting the Atlantic, Quebec and Western Railway Company.

[Assented to 10th April, 1908.]

**W**HEREAS the Atlantic, Quebec and Western Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
Quebec—  
1901, c. 63.  
Canada—  
1903, c. 81;  
1904, c. 46;  
1905, c. 59;  
1906, c. 59;  
1907, c. 63.

**1.** Section 7 of chapter 63 of the statutes of 1907 is hereby repealed.

1907, c. 63,  
s. 7  
repealed.  
Bond issue.

**2.** Notwithstanding anything in the said Act, hereinafter called "the Act of 1907," section 10 of chapter 81 of the statutes of 1903, hereinafter called "the Act of 1903," and the resolutions of the Company passed in pursuance of the powers conferred by the said section, shall be deemed to have remained, and shall continue, of full force and effect.

1903, c. 81,  
s. 10  
revived.  
Confirmation  
of securities  
issued  
thereunder.

**3.** In addition to the bonds, debentures or other securities which the Company was and is authorized to issue by section 10 of the Act of 1903, the Company may issue, in respect of the railways by that Act authorized, bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the said railways, but only in proportion to the length thereof constructed or under contract to be constructed, and subject to such charges as have been lawfully created in favour of the holders of bonds, debentures and other securities issued under the Act of 1903.

Limit of  
issue in  
respect of  
lines  
authorized by  
1903, c. 81.

**4.** The Company may issue bonds, debentures or other securities to the extent of forty-five thousand dollars per mile

Limit of  
issue in  
respect of  
of



lines  
authorized by  
1907, c. 63.

of the railways which the Company is authorized, by the Act of 1907, to construct or to acquire; but such bonds, debentures or other securities may be issued only in proportion to the length constructed or under contract to be constructed of the said railways; and any bonds, debentures or other securities issued, under the authority of this section, in respect of the Matapedia section, shall be subject to any charge created to secure any bonds, debentures or other securities, or perpetual or terminable debenture stock, issued under the authority of section 4B added to the Act of 1903 by section 2 of the Act of 1907, and so that no greater sum than forty-five thousand dollars in all per mile of the Matapedia section shall be charged thereon.

1903, c. 81,  
ss. 10A, 10B,  
repealed.  
Consolidated  
bonds, etc.

5. Sections 10A and 10B added to the Act of 1903 by section 8 of the Act of 1907, are hereby repealed.

New  
provision as  
to issue of  
consolidated  
bonds and of  
debenture  
stock.  
Applicable to  
all lines.  
"Consoli-  
dated  
securities."  
Purposes for  
which  
issue may  
be made.  
"Sectional  
securities."

6. The directors may, from time to time, subject to the provisions of *The Railway Act*, create and issue consolidated bonds or perpetual or terminable debenture stock (all of which are hereinafter in this Act referred to as "consolidated securities") to the extent in all of forty-five thousand dollars per mile, constructed or under contract to be constructed, of the railways which the Company has authority to construct or to acquire, and such consolidated securities may be issued,—

(i) in exchange for bonds, debentures, or other securities issued pursuant to the powers contained in the Act of 1903 or in the Act of 1907 or in this Act (all of which last mentioned bonds or other securities are hereafter in this Act referred to as "sectional securities"); or

(ii) for the purpose of the redemption of any sectional securities; or

(iii) in lieu of sectional securities authorized but not issued.

How sectional  
securities  
are to be  
dealt with,  
when  
exchanged  
or redeemed.

2. When any sectional securities have been exchanged or redeemed as aforesaid, such sectional securities shall be registered by the Company in the name of trustees, hereinafter called "the trustees," and shall not be sold or re-issued; and such sectional securities shall not be considered as forming part of the outstanding bonds, debentures or other securities issued by the Company; but the share or participation to which such sectional securities before being exchanged or redeemed were entitled in the mortgage privilege or charge upon the section of the railway to which such sectional securities apply, and all other rights to which they were entitled, shall thenceforth belong to and inure in favour of the trustees, upon trust to be applied by them as may be directed by the Company. So soon as the whole of the sectional securities charged on any of the said railways have been exchanged for consolidated securities or redeemed, such sectional securities shall be surrendered to the Company for cancellation.

Surrender  
and  
cancellation.

7. Should the Matapedia section, as defined in section 4B added to the Act of 1903 by section 2 of the Act of 1907, be sold, whether before or after the passing of this Act, by order of the Exchequer Court of Canada, or of any other court of competent jurisdiction, under judicial proceedings against the Baie des Chaleurs Railway Company and the Atlantic and Lake Superior Railway Company, and such section be acquired by any person, corporation or trustees (hereinafter referred to as "the owner"), then the Company is authorized, subject to the provisions of *The Railway Act*, to purchase from the owner, and the owner is authorized to sell to the Company the said Matapedia section; and subsection 3 of section 4 and sections 4B and 4c, added to the Act of 1903 by sections 1 and 2 of the Act of 1907, shall apply, *mutatis mutandis*, to any purchase made by the Company in virtue of the powers herein conferred.

Authority for transfer of ownership of Matapedia section if acquired at judicial sale.

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## 7-8 EDWARD VII.

### CHAP. 85.

#### An Act respecting the Belleville Prince Edward Bridge Company.

[Assented to 20th July, 1908.]

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to 1899, c. 95.  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House  
of Commons of Canada, enacts as follows:—

**1.** Section 8 of chapter 95 of the statutes of 1899 is repealed New s. 8.  
and the following is substituted therefor:—

**“8.** The directors of the Company from time to time shall Powers of directors.  
have the control and management of the stock, property and  
affairs of the Company, and may fix, and from time to time  
regulate, increase or reduce, the tolls and rates to be charged Tolls.  
to persons using the said bridge. Provided, however, that the  
rates and tolls collected and charged shall not exceed the  
following, that is to say:—

	cts.
For each person passing on or over the bridge or that portion of the approach lying between the bridge and Zwick's Island.....	5
Children under six years of age accompanied by parent or guardian.....	Free.
Automobiles.....	10
Bicycle and rider.....	10
For every horse and single carriage, wagon, cart, or other vehicle and driver.....	10
For each carriage, wagon, cart or other vehicle drawn by two horses, driver and horses in- cluded.....	20
For horses and cattle on foot, each.....	5
For calves, sheep, goats, and swine, on foot, each,	5

	cts.
For every threshing mill, clover mill or separator	10
For every mule.....	5
For every colt.....	5
Farming implements drawn on their own wheels	5

(In no case shall any traction or other engine, or any load or wagon exceeding three tons pass over the said bridge without permission of the Company.)

“The tolls hereby fixed are for passage either way.

Regulation  
of traffic.

“2. All horses, colts, cattle, calves, sheep or swine in droves shall pass over the said bridge only in such numbers, in single or divided droves, and at such distances apart, as the Company directs.

Power to  
reduce tolls.

“3. So long as all persons are charged equal rates and given equal privileges and facilities, the directors may charge less than the rates above fixed.

Approval  
of tolls.

“4. The tolls from time to time charged by the Company shall first be approved by the Governor in Council.”

Use of part  
of approach  
as public  
highway.

2. If at any time the corporation of the city of Belleville desires the use of that portion of the approach to the said bridge which lies between Dundas street and Zwick’s Island, for the purpose of a public highway, the said corporation may have such portion of the said approach for the said use, upon undertaking to maintain the said portion, and to pay to the owner of the said bridge a sum equal to the amount of any taxes levied upon the said portion.

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## 7-8 EDWARD VII.

### CHAP. 86.

#### An Act respecting the Boundary, Kamloops and Cariboo Central Railway Company.

*[Assented to 17th March, 1908.]*

**W**HEREAS the Boundary, Kamloops and Cariboo Central Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1904, c. 49;  
1906, c. 62.

**1.** Section 2 of chapter 62 of the statutes of 1906 is repealed.

1906, c. 62  
amended.

**2.** The Boundary, Kamloops and Cariboo Central Railway Company may commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for  
construction  
of railway  
extended.

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## 7-8 EDWARD VII.

### CHAP 87.

#### An Act respecting the British Columbia Southern Railway Company.

[Assented to 12th February, 1908.]

**W**HEREAS the British Columbia Southern Railway Company Preamble.  
has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The British Columbia Southern Railway Company may commence the railway from Fort Steele to Golden heretofore authorized within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not commenced, or if the said railway is not so completed and put in operation, within the said periods respectively the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for construction of Fort Steele-Golden line extended. 1899, c. 55, s. 2.

**2.** The securities issued by the said Company in respect of the said railway shall not exceed twenty-five thousand dollars per mile of the said railway, and may be issued only in proportion to the length of the railway constructed or under contract to be constructed. Issue of securities.







## 7-8 EDWARD VII.

### CHAP. 88.

#### An Act respecting the British Yukon Railway Company.

[Assented to 17th March, 1908.]

**W**HEREAS the British Yukon Railway Company has by its Preamble.  
petition prayed that it be enacted as hereinafter set forth, 1897, c. 89;  
and it is expedient to grant the prayer of the said petition: 1900, c. 53;  
Therefore His Majesty, by and with the advice and consent of 1901, c. 50.  
the Senate and House of Commons of Canada, enacts as follows:—

**1.** The British Yukon Railway Company, hereinafter called Line of railway authorized.  
“the Company,” may lay out, construct and operate a branch  
line of railway from a point at or near the one hundred and sixth  
mile post on its line of railway as now constructed and operated,  
south of the town of Whitehorse in the Yukon Territory, thence  
in a northwesterly direction to the Tahkeena river, a distance  
of about thirty-five miles.

**2.** The said branch line of railway shall be commenced within Time for construction limited.  
two years and completed within five years after the passing of  
this Act, and as to so much thereof as is not constructed  
within that period the powers of the Company shall cease  
and determine.

**3.** All the provisions of the Company’s Act of incorporation Existing Acts to apply.  
and amendments thereto, except in so far as they are inconsis-  
tent with this Act and with *The Railway Act*, shall, so far as  
applicable, apply to the branch line of railway which the  
Company is by this Act authorized to construct and operate.

**4.** The securities issued by the Company in respect of the Issue of securities.  
branch line of railway which the Company is by this Act

authorized to construct and operate, shall not exceed six thousand pounds sterling per mile of the said branch line, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

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## 7-8 EDWARD VII.

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### CHAP. 89.

#### An Act respecting the Calgary and Fernie Railway Company.

[Assented to 17th March, 1908.]

WHEREAS the Calgary and Fernie Railway Company has Preamble.  
by its petition prayed that it be enacted as hereinafter  
set forth, and it is expedient to grant the prayer of the said  
petition: Therefore His Majesty, by and with the advice and 1906, c. 71.  
consent of the Senate and House of Commons of Canada, enacts  
as follows:—

1. The Calgary and Fernie Railway Company may com- Time for  
construction  
extended.  
mence the construction of its railway, and expend fifteen per  
cent of the amount of its capital stock thereon, within two  
years after the passing of this Act, and may complete the said  
railway and put it in operation within five years after the pass-  
ing of this Act; and if the said railway is not so commenced and  
such expenditure is not so made, or if the said railway is not  
completed and put in operation within the said periods respec-  
tively, the powers of construction conferred upon the said Com-  
pany by Parliament shall cease and be null and void as respects  
so much of the said railway as then remains uncompleted.

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most Excellent Majesty.







## 7-8 EDWARD VII.

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### CHAP. 90.

#### An Act respecting the Campbellford, Lake Ontario and Western Railway Company.

[Assented to 12th February, 1908.]

**W**HEREAS the Campbellford, Lake Ontario and Western Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1904, c. 54;  
1906, c. 72.

**1.** The Campbellford, Lake Ontario and Western Railway Company may commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for  
construction  
of railway  
extended.

**2.** Chapter 72 of the statutes of 1906 is repealed.

1906, c. 72  
repealed.

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## 7-8 EDWARD VII.

### CHAP. 91.

#### An Act to incorporate the Canada Weather Insurance Company.

[Assented to 16th June, 1908.]

**W**HEREAS the persons hereinafter named have by their Preamble.  
petition prayed that it be enacted as hereinafter set  
forth, and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent  
of the Senate and House of Commons of Canada, enacts as  
follows:—

**1.** A. Beverley Welford, Frederick Millman, and George W. Incorporation.  
Hunt, all of the city of Woodstock, in the county of Oxford  
and province of Ontario, James B. McLaren and Angus McKay,  
both of the town of Ingersoll, in the said county of Oxford,  
together with such persons as become shareholders in the com-  
pany, are incorporated under the name of "The Canada Weather  
Insurance Company," hereinafter called "the Company." Corporate name.

**2.** The persons named in section 1 of this Act, together with Provisional directors  
such persons, not exceeding six, as they associate with them,  
shall be the provisional directors of the Company, a majority  
of whom shall be a quorum, and they may forthwith open stock-  
books, procure subscriptions of stock for the undertaking, make  
calls on stock subscribed and receive payments thereon, and  
shall deposit in a chartered bank in Canada all moneys received  
by them on account of stock subscribed or otherwise received  
by them on account of the Company, and shall withdraw the  
said moneys for the purposes of the Company only, and may  
do generally what is necessary to organize the Company.

**3.** The capital stock of the Company shall be five hundred Capital stock.  
thousand dollars, divided into shares of one hundred dollars  
each.

**Calls.** 2. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice of any call shall be given.

**Head office.** 4. The head office of the Company shall be in the city of Toronto, in the province of Ontario.

**Branches.** 2. The directors may, from time to time, establish local advisory boards or agencies, either in Canada or elsewhere, in such manner as the directors from time to time appoint.

**First general meeting** 5. So soon as one hundred thousand dollars of the capital stock of the Company has been subscribed, and twenty per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders of the Company at some place to be named in the city of Toronto, at which meeting the shareholders present or represented by proxy, who have paid not less than forty per cent on the amount of shares subscribed for by them, shall elect a board of not less than five nor more than twenty-five directors, a majority of whom shall be a quorum.

**Election of directors**

**Qualification of directors.** 2. No person shall be a director unless he holds in his own name and for his own use at least twenty shares of the capital stock of the Company, and has paid all calls due thereon and all liabilities incurred by him to the Company.

**Annual meeting.** 6. A general meeting of the Company shall be called once in each year, after the organization of the Company and the commencement of business, at its head office, and at such meeting a statement of the affairs of the Company shall be submitted; and special, general or extraordinary meetings may at any time be called by any five of the directors, or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.

**Special meetings.**

**Notice of meetings.** 2. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called, and addressed by registered letter to the addresses of the shareholders respectively given in the books of the Company.

**Payment on capital before commencement of business.** 7. The Company shall not commence business until at least one hundred thousand dollars of the capital stock has been subscribed and at least forty thousand dollars have been paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act: Provided that the sum paid by any shareholder which is less than ten per cent of the amount subscribed by such shareholder shall not be reckoned as part of the said forty thousand dollars.

**8.** The Company may carry on the business of effecting contracts of insurance for injury to property caused by cyclones, tornadoes, wind-storms, frost or hail, and may cause itself to be insured against any risk it may have undertaken, and may reinsure any other person against any risks that such person may have undertaken. Business of Company.

**2.** Nothing in this section shall authorize the Company to make any contract of insurance with respect to property in transit on water. Marine insurance not allowed.

**9.** The Company may acquire and dispose of any real property required in part or wholly for the use and accommodation of the Company, but the annual value of such property held in any province of Canada shall not exceed two thousand dollars, except in the province of Ontario, where it shall not exceed five thousand dollars. Power to hold real estate.

**10.** This Act and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act*, and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail. Application of Insurance Acts. Conflicting provisions.

**11.** Notwithstanding anything therein, Part II. of *The Companies Act*, except sections 125, 134, 141, 158 and 165 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act. R.S., c. 79.

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## 7-8 EDWARD VII.

### CHAP. 92.

#### An Act respecting the Canadian Northern Railway Company.

[Assented to 3rd April, 1908.]

**W**HEREAS the Canadian Northern Railway Company has Preamble.  
by its petition prayed that it be enacted as hereinafter set 1899, c. 57;  
forth and it is expedient to grant the prayer of the said peti- 1901, cc. 52,  
tion: Therefore His Majesty, by and with the advice and consent 53;  
of the Senate and House of Commons of Canada, enacts as 1902, c. 50;  
follows:— 1903, c. 97;  
1904, c. 60;  
1905, c. 72;  
1907, c. 71.

**1.** This Act may be cited as *The Canadian Northern Railway Act, 1908.* Short title.

**2.** The Canadian Northern Railway Company, hereinafter called "the Company," may lay out, construct and operate the following lines of railway:— Lines of railway authorized

(a) From its line at or near Humboldt, in the province of Saskatchewan, in a southwesterly direction to township twenty-nine, range seven, west of the third meridian, thence westerly and southwesterly to the city of Calgary, in the province of Alberta;

(b) From a point on its Brandon-Regina line near the west boundary of Manitoba, thence in a generally westerly direction to the city of Lethbridge, Alberta;

(c) From a point on its line near North Battleford, thence northwesterly to a point at or near Athabaska Landing, with a branch to a point upon or near Green Lake near its outlet into the Beaver river;

(d) From its line at Strathcona, southerly to Calgary;

(e) From Regina southwesterly to a point on the international boundary between ranges one and four west of the third meridian;

(f) From a point at or near the city of Edmonton to the head waters of the McLeod and Brazeau rivers, or to the head waters of one of these two rivers, with a branch to the other;

(g) From a point on its Rossburn branch, near Russell, westerly via Yorkton to a point on its authorized line near Goose Lake, Saskatchewan;

(h) From a point on its line between Neepawa, in the province of Manitoba, and a point not more than fifteen miles south of Neepawa, thence northwesterly joining its main line at or near the crossing of the South Saskatchewan river;

(i) From a point ten miles north of the Company's line between Winnipeg and Ste. Anne, thence in a generally southerly direction to the Manitoba boundary;

(j) From a point on the Company's line between Port Arthur and Fort Frances, Ontario, thence in a generally northeasterly and southeasterly direction to a point in or near the city of Quebec, and from points on the line hereby authorized to points in or near Port Arthur, Ottawa and Montreal respectively;

(k) From a point on the Company's authorized line at or near or west of Battleford, thence in a generally westerly direction to a point on the Brazeau river;

(l) From a point in or near Regina, northerly to or near to Humboldt, thence northeasterly down or near the valley of the Carrot river to a point at or near the Pas Mission on the Saskatchewan river; and from a point on the line of the Canadian Northern Railway between Humboldt and the South Saskatchewan river, northeasterly to a point at or near the crossing of the South Saskatchewan river by the Prince Albert branch of the Canadian Northern Railway.

Time for  
con-struction  
limited.

**3.** The said lines shall be commenced within two years and completed and put in operation within five years after the passing of this Act, and if not so commenced and completed and put in operation the powers of construction of the Company with respect thereto granted by this Act shall cease with respect to so much of the said lines as then remains uncompleted.

Limitation  
of amount of  
securities.

1907, c. 71,  
s. 2.

**4.** The limit to the amount of securities specified in section 2 of *The Canadian Northern Railway Act, 1906-7*, shall apply to the lines of railway which the Company is authorized to construct by this Act.

Capital stock  
increased.

**5.** The capital stock of the Company is hereby increased by the sum of nineteen million two hundred and fifty thousand dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

Calls.



## 7-8 EDWARD VII.

### CHAP. 93.

#### An Act respecting the Canadian Northern Ontario Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Canadian Northern Ontario Railway Com-  
pany has by its petition prayed that it be enacted as  
hereinafter set forth, and it is expedient to grant the prayer  
of the said petition: Therefore His Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows:—

Preamble.  
1895, c. 50;  
1897, c. 47;  
1899, c. 71;  
1902, c. 65;  
1904, c. 88;  
1905, c. 110;  
1906, c. 114;  
1907, c. 72.

**1.** This Act may be cited as *The Canadian Northern Ontario* Short title.  
*Railway Act, 1908.*

**2.** The Canadian Northern Ontario Railway Company may  
construct and operate a railway from a point on its authorized  
line between Udney and Rathburn to a point on Matchedash  
Bay on the Georgian Bay. Line of  
railway  
authorized.

**3.** Unless the said Company commences within two years  
and completes and puts in operation within five years after the  
passing of this Act the railway which it is hereby authorized to  
construct, the powers granted for construction shall cease with  
respect to so much of the said railway as then remains uncom-  
pleted. Time for  
construction  
limited.

**4.** The limit to the amount of the securities which the said  
Company may issue and secure under sections 136 to 146 of  
*The Railway Act*, both inclusive, shall be as follows, namely:— Amount of  
securities  
limited.

(a) Thirty thousand dollars per mile of the line hereby author-  
ized and of all lines heretofore authorized, and such securities  
may be issued only in proportion to the length of such lines of  
railway constructed or under contract to be constructed;

(b) Five million dollars for the acquisition, construction, equipment, extension and maintenance of terminal properties and facilities in the provinces of Ontario and Quebec.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 94.

#### An Act respecting the Canadian Northern Quebec Railway Company.

[Assented to 3rd April, 1908.]

**W**HEREAS the Canadian Northern Quebec Railway Com- Preamble.  
pany has by its petition prayed that it be enacted as  
hereinafter set forth, and it is expedient to grant the prayer 1907, c. 73.  
of the said petition: Therefore His Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows:—

**1.** This Act may be cited as *The Canadian Northern Quebec* Short title.  
*Railway Act, 1908.*

**2.** The Canadian Northern Quebec Railway Company may Line of  
construct and operate a railway from a point on its authorized railway  
line at or near St. Jérôme, in the county of Terrebonne, to a point authorized.  
at or near St. Eustache, in the county of Two Mountains, and  
may also construct in whole or in part, or acquire in whole or  
in part under and subject to the provisions of sections 361, 362  
and 363 of *The Railway Act*, from the Canadian Northern Rail-  
way Company or from the Canadian Northern Ontario Railway  
Company, and operate a railway from a point at or near Ottawa,  
via Hawkesbury, to Montreal, branching on Montreal Island to  
enter Montreal from both the northeast and the southwest.

**3.** Unless the said Company commences within two years Time for  
and completes and puts in operation within five years after the construction  
passing of this Act the railways which the said Company is limited.  
hereby authorized to construct, the powers granted for con-  
struction shall cease with respect to so much of the said railways  
as then remains uncompleted.

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## 7-8 EDWARD VII.

### CHAP. 95.

#### An Act respecting the Canadian Pacific Railway Company.

[Assented to 17th March, 1908.]

**W**HEREAS the Canadian Pacific Railway Company has by Preamble.  
its petition prayed that it be enacted as hereinafter set  
forth, and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent  
of the Senate and House of Commons of Canada, enacts as  
follows:—

**1.** The Canadian Pacific Railway Company, hereinafter Line of railway authorized.  
called “the Company,” may construct and operate a line of  
railway from a point at or near Killam or some other  
point in township forty-four, ranges thirteen and fourteen,  
west of the fourth meridian, in a northwesterly direction, to a  
point at or near Strathcona, in the province of Alberta.

**2.** The said railway shall be commenced within two years Time for construction limited.  
and completed and put in operation within five years after the  
passing of this Act, and if the Company fails to commence and  
complete and put in operation the said railway within the  
times limited, the powers granted for its construction shall  
cease and determine as to so much thereof as then remains  
uncompleted.

**3.** Subject to the provisions of sections 136 (excepting sub- Issue of bonds. R.S., c. 37.  
section 1 thereof) to section 146, both inclusive, of *The Railway Act*, not inconsistent with the Company’s special Act as that  
expression is defined in *The Railway Act*, the Company may  
issue bonds in respect of the said railway to the extent of twenty-  
five thousand dollars per mile thereof in proportion to the  
length of railway constructed or under contract to be con-  
structed, which bonds shall—subject, in the first instance, to  
the

the payment of any penalty imposed upon the Company for non-compliance with the requirements of *The Railway Act*, and next to the working expenditure of the railway authorized to be constructed under the provisions of section 1 of this Act—be a first lien and charge and be secured exclusively upon the railway, the construction of which is authorized by this Act.

Issue of consolidated debenture stock in lieu of bonds.

4. In lieu of the bonds, the issue of which is authorized by this Act, the Company, being first authorized so to do by at least two-thirds of the votes of the shareholders present or represented at an annual meeting or at a special meeting of the shareholders duly called for the purpose, may issue consolidated debenture stock to the same amount, the holders of which shall have equal rights in all respects and shall rank *pari passu* with holders of such consolidated debenture stock as the Company has prior to the passing of this Act been authorized to issue.

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## 7-8 EDWARD VII.

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### CHAP. 96.

An Act to amend chapter 92 of the statutes of 1901,  
respecting the Canadian Patriotic Fund Association.

*[Assented to 20th July, 1908.]*

**H**IS Majesty, by and with the advice and consent of the  
Senate and House of Commons of Canada, enacts as  
follows:—

**1.** Whenever it is necessary or desirable to take a vote of the members of the corporation upon any motion, such vote may be taken by mail on any question or matter affecting the Canadian Patriotic Fund Association. Voting by mail.

**2.** In such case the secretary of the Association shall transmit by mail to each member a copy of the motion, proposition or question to be voted upon, and also a copy of this Act, and any member may thereupon vote by transmitting to the secretary by mail a letter stating that he votes "aye" or "no," as the case may be, upon such motion, proposition or question. Procedure for voting.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 97.

#### An Act for the relief of Catherine Ann Cannon.

[Assented to 20th July, 1908.]

**W**HEREAS Catherine Ann Cannon, presently residing at the Preamble.  
city of Toronto, in the province of Ontario, wife of  
Joseph Promise Cannon of the said city, merchant, has by her  
petition alleged, in effect, that they were lawfully married on  
the first day of June, A.D. 1898, at the said city, she then being  
Catherine Ann Sutherland, spinster; that his legal domicile was  
then and is now in Canada; that at the said city of Toronto, in  
or about the months of April and December, A.D. 1906, and at  
divers other times in that year, he committed adultery with  
one Evelynne Spencer; that she has not connived at nor con-  
doned the said adultery; that there has been no collusion,  
directly or indirectly, between him and her in the proceedings  
for divorce; and whereas by her petition she has prayed for the  
passing of an Act dissolving her said marriage, authorizing her  
to marry again, and affording her such other relief as is deemed  
meet; and whereas the said allegations have been proved, and  
it is expedient that the prayer of her petition be granted:  
Therefore His Majesty, by and with the advice and consent of  
the Senate and House of Commons of Canada, enacts as fol-  
lows:—

**1.** The said marriage between Catherine Ann Cannon and Marriage dissolved.  
Joseph Promise Cannon her husband, is hereby dissolved, and  
shall be henceforth null and void to all intents and purposes  
whatsoever.

**2.** The said Catherine Ann Cannon may at any time here- Right to marry again.  
after marry any man whom she might lawfully marry if the  
said marriage with the said Joseph Promise Cannon had not  
been solemnized.







## 7-8 EDWARD VII.

### CHAP. 98.

An Act to incorporate the Woman's Auxiliary to the Missionary Society of the Church of England in Canada.

[Assented to 17th March, 1908.]

**W**HEREAS the voluntary association now existing under Preamble  
the name of "The Woman's Auxiliary to the Missionary Society of the Church of England in Canada," has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Woman's Auxiliary to the Missionary Society of the Incorporation.  
Church of England in Canada mentioned in the preamble, and hereinafter called "the Auxiliary," is hereby constituted a body politic and corporate, with all the powers and privileges of like corporations.

**2.** The Auxiliary shall be governed, controlled and admin- Auxiliary governed by constitution.  
istered under the constitution contained in the schedule to this Act. The said constitution shall continue in force until amended under clause 10 thereof.

**3.** The Auxiliary may make by-laws for its government and By-laws.  
the carrying on of its work, which shall not be contrary to law or the terms of its constitution.

**4.** The present by-laws of the Auxiliary shall continue in Operation of present by-laws.  
force until revoked or amended under the authority of this Act.

**5.** The Auxiliary may— Power to hold property.  
(a) receive, acquire, accept and hold property, whether real or personal and wheresoever situated, by gift, purchase, legacy

or otherwise, and may sell and dispose thereof and apply the proceeds to the objects of the Auxiliary: Provided, however, that the annual value of the real estate held by the Auxiliary shall not exceed the sum of twenty-five thousand dollars;

Invest funds.

(b) invest its funds in such securities as it deems advisable, and sell and dispose of such securities and reinvest or dispose of the proceeds, always using them, or the revenue derived therefrom, for the purposes of the Auxiliary.

Legacies  
subject to  
provincial  
laws.

2. Any gift, purchase, grant or legacy of real estate shall be subject to the laws respecting legacies to religious or charitable corporations of the province or territory in which such real estate is situated.

## SCHEDULE.

### CONSTITUTION.

1. This Association shall be called "The Woman's Auxiliary to the Missionary Society of the Church of England in Canada."

#### Objects.

2. The objects of this Auxiliary, for the assistance of the Missionary Society of the Church of England in Canada, shall be: 1. Individual and united intercessory prayer for Missions. 2. Systematic effort to diffuse Missionary intelligence. 3. To increase missionary activity. 4. To contribute to missions. 5. To unite previously existing societies in the interests of this Auxiliary. 6. To endeavour to organize Diocesan branches of this Auxiliary throughout Canada.

A Diocesan branch of this Auxiliary may take up independently of the M.S.C.C. any work in such Diocese that may meet with the approval of the Bishop thereof.

#### Membership.

3. All women of the Church, paying an annual fee, shall be members of this Auxiliary, and shall hold a member's card.

#### General Board.

4. The General Board of Management shall consist of a President, four Vice-Presidents, a Recording Secretary, a Corresponding Secretary, a Dorcas Secretary-Treasurer, a Secretary for Junior and Babies' Branches, a Treasurer and an editor of the Leaflet, with Conveners of Standing Committees, Life Members, the President and three officers from each Diocesan Board and ex-officio members.

#### Officers.

5. All officers and the Conveners of Standing Committees shall be elected by ballot at the General Meetings of this Auxiliary, and no person shall hold more than one elective office at one time on the General Board of Management.

#### Executive Committee.

6. The Executive Committee shall consist of the Officers of this Board, the Conveners of Standing Committees and Presidents of Diocesan Boards.

#### General Meeting.

7. A General Meeting of this Auxiliary shall be held once in three years at which those entitled to vote shall be the members of the General Board of Management, and four Delegates from each Diocesan Board. A special meeting may be called by the President at the request of three Diocesan Boards.

#### Annual Meeting.

8. The General Board of Management shall meet annually in September or October. A special meeting may be called by the President at the request of three Diocesan Boards, 10 to form a quorum.

#### Executive Committee Meetings.

9. The Executive Committee shall meet at least twice a year, seven to form a quorum. A special meeting of the Executive Committee may be called by the President at any time at the request of ten members of the Executive Committee.

#### Amendments.

10. This Constitution may be amended at a General Meeting of this Auxiliary by a two-thirds majority of those entitled to vote, notice in writing having been sent to the Corresponding Secretary three months before such meeting, copies of which she shall submit immediately to the Diocesan Board.

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OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 99.

#### An Act respecting the Crown Life Insurance Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Crown Life Insurance Company has by its Preamble petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The directors of the Crown Life Insurance Company, hereinafter called "the Company," may at any time, after being duly authorized by a resolution approved by the votes of shareholders, present or represented by proxy, representing at least two-thirds of the whole amount which has been paid upon the subscribed stock of the Company at a special general meeting duly called for considering such resolution, pass a by-law,—

Power to approve of a certain agreement to cancel stocks, etc.

- (a) approving of the agreement hereinafter mentioned;
- (b) for cancelling so much of the subscribed stock or shares of the Company as is provided in the said agreement;
- (c) for writing off the paid-up capital stock of the Company, or off any share thereof so much thereof as is provided in the said agreement, and for subdividing shares so far as is necessary to give effect to such cancellation and writing off.

**2.** Such by-law may declare the par value of the shares as so reduced and the number of shares so cancelled and written off and the number of shares and subdivided shares remaining uncanceled, and the amount paid up thereon.

Contents of by-law.

**3.** In the subdivision of any share the proportion between the amount which is paid and the amount which is unpaid on

As to subdivision of shares.

each

each subdivided share shall be the same as it was in the case of the existing share so subdivided.

Reduced  
capital stock.

4. The subscribed capital stock shall be reduced by the amount so cancelled which amount shall be available for subscription and issue at or over par as if such stock had not been previously subscribed or issued.

Confirmation  
of a certain  
agreement.

5. Upon the approval of the said resolution as aforesaid, as to which the certificate of the chairman of the shareholders' meeting hereinbefore mentioned shall be sufficient evidence, the agreement set forth in the schedule to this Act shall be and is hereby confirmed and made valid, and shall in all courts and places be taken and held to be legal, valid and binding in all respects whatsoever. The certificate of the chairman aforesaid shall also be filed in the office of the Secretary of State of Canada, and copies thereof and of the said agreement certified by the Secretary of State shall be sufficient evidence in all courts and places of the approval of the said resolution as aforesaid and of the said agreement and of all the terms thereof.

When  
Company  
may carry  
agreement  
into effect.

6. The Company may, upon the said resolution being approved as aforesaid, and upon the three thousand shares referred to in the said agreement having been subscribed, and upon the sum of eighteen thousand seven hundred and fifty dollars having been paid thereon in addition to the seventy-five thousand dollars already deposited under the said agreement, do all such acts, matters and things as are requisite or necessary to carry into effect the terms and provisions of the said agreement; and the board of directors of the Company may likewise, upon the said resolution being approved, do all such acts, matters and things as are requisite or necessary to carry into effect the terms and provisions of the said agreement, and pursuant thereto to pass all by-laws and resolutions necessary to that end, without the same being submitted to the vote of the shareholders of the Company.

Loans to  
shareholders.  
R.S., c. 34.

7. The Company may make loans to such of its shareholders and policyholders as are not directors on the securities mentioned in *The Insurance Act*.

## SCHEDULE.

Memorandum of agreement made this twenty-second day of April, A.D. one thousand nine hundred and eight, between The Crown Life Insurance Company, hereinafter called the "Company," of the first part, and H. S. Strathy, of the city of Toronto, Canada, banker, acting in his own behalf and as a trustee for others, hereinafter called the "Purchaser," of the second part.

Whereas the capital of the Company in the conduct of its business has become impaired, and it is deemed desirable in the interests of the Company that the impairment of capital should be restored.

And whereas the Company has represented to the Purchaser that the total amount of the shares in the capital stock of the Company which have been issued or allotted and now outstanding is five thousand five hundred and sixty-four (5,564) shares.

And whereas the Company has agreed as a condition precedent to the going into effect of this agreement that the present share capital of the Company shall be reduced by one-half, namely, to not more than two thousand seven hundred and eighty-two (2,782) shares, and that the necessary steps and proceedings shall be forthwith taken by the Company to effect the said reduction in the number of the shares, and that application shall forthwith be made to the Parliament of Canada for an Act sanctioning the said reduction upon terms and conditions satisfactory to the Purchaser.

And whereas the Purchaser in the event of the premises being carried into effect as aforesaid has agreed to subscribe for three thousand (3,000) shares of the Company, to be issued and allotted to the Purchaser or to his nominees, who shall be acceptable to the president of the Company upon the further terms and conditions hereinafter mentioned, and has further agreed to pay to the Company the sum of seventy-five thousand dollars (\$75,000) which shall not in any case or under any circumstances constitute a liability against the policyholders of the Company, but shall be regarded as a liability only against the interests of the shareholders thereof, and shall not be repayable except out of surplus profits which may hereafter be earned by the Company upon the terms and conditions hereinafter mentioned.

Now this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements hereinafter contained, the parties hereto do hereby mutually covenant, promise and agree to and with each other as follows, that is to say:

1. The Company agrees to reduce its capital stock, which consists of not more than five thousand five hundred and sixty-four (5,564) shares, by one-half, namely, to not more than two thousand seven hundred and eighty-two (2,782) shares, and to procure the passing of an Act of the Parliament of Canada confirming and sanctioning or authorizing the shareholders of the Company to confirm and sanction the said reduction upon such terms and conditions as shall be satisfactory to the Purchaser and approved of by him, which approval shall be expressed by the Purchaser approving of the terms of the draft Bill to be submitted to the Parliament of Canada for enactment, and of the terms of all by-laws to be submitted to the shareholders of the Company for confirmation pursuant to the proposed Act.



2. The Purchaser agrees upon the reduction of the capital stock as aforesaid and the passing of the said Act of the Parliament of Canada sanctioning and confirming the said reduction, or if the said Act authorizes the shareholders to sanction and confirm the said reduction then upon their doing so, to subscribe for three thousand (3,000) shares of the capital stock of the Company and to pay thereon eighteen thousand seven hundred and fifty dollars (\$18,750), and the Company agrees upon the seventy-five thousand dollars (\$75,000) becoming the property of the Company under clause 8 hereof to issue and allot to the Purchaser or to his nominees who shall be acceptable to the president of the Company, the said three thousand (3,000) shares upon the said sum of eighteen thousand seven hundred and fifty dollars (\$18,750) being paid to the Company on account thereof.

3. Upon the issue and allotment of the said three thousand (3,000) shares as aforesaid, the Purchaser further agrees that the seventy-five thousand dollars (\$75,000) to be paid under clause 8 shall be applied in restoring any impairment of the capital stock of the Company, which said sum is not to be a present liability of the Company, and the repayment thereof to the Purchaser shall not become a future liability of the Company and no repayment thereof shall be made unless and until the Company is able to repay the same or to make repayments on account thereof out of future net profits derived from the business of the Company in the non-participating policies of insurance issued by the Company and out of ten per cent of the net profits derived from the business of the Company in the participating policies of insurance issued by the Company; it being distinctly understood and agreed that the ninety per cent of the portion of profits referred to in the eleventh section of the Act incorporating the Company and set apart as therein mentioned shall in no case be liable for or charged with the repayment of the said sum of seventy-five thousand dollars (\$75,000) or any part thereof, or of any interest thereon.

4. The Company agrees that from time to time as it may hereafter be able out of profits as aforesaid, and in priority to all existing claims of shareholders, it will repay the said sum of seventy-five thousand dollars (\$75,000) in instalments of not less than ten thousand dollars (\$10,000) until the said sum is wholly repaid to the Purchaser or to the parties entitled thereto, and that in the meantime and until so paid in full the Company will pay to the Purchaser or to the parties entitled thereto from time to time, as it hereafter may be able out of profits as aforesaid, interest at the rate of seven per cent per annum.

5. Notwithstanding anything contained in the next preceding clause 4 hereof, dividends shall, before applying the said profits in repayment of the said sum of seventy-five thousand dollars (\$75,000) as provided in said clause 4 hereof, and next in priority to payment of interest on said sum of seventy-five thousand dollars (\$75,000) be paid to shareholders out of profits as afore-



said to the extent of six per cent (6%) per annum, or with the consent of the Purchaser to any greater amount, but any dividends so paid shall be wholly without prejudice to any of the rights of the Purchaser under this agreement, and his right to repayment of the said sum of seventy-five thousand dollars (\$75,000) as aforesaid shall be deemed to be suspended and postponed only so long as payment is made of dividends to shareholders of the Company and to the amount thereof as provided by this clause.

6. The parties agree that neither the said sum of seventy-five thousand dollars (\$75,000) nor any part thereof, nor interest thereon, nor any part thereof, shall be payable to the Purchaser or to his nominees or shall be a claim or charge upon the Company or any of its assets unless the capital of the Company is wholly unimpaired and until the Company has earned net profits as aforesaid sufficient to pay interest dividends or instalments of principal as aforesaid, and no call shall hereafter be made for the purpose of paying nor shall any call be applied to pay the said seventy-five thousand dollars (\$75,000) or any part thereof or interest thereon.

7. The Purchaser shall have the option of applying any payments, either of principal or interest which may become payable to him under clause 4 hereof, rateably upon the shares standing in his name or in the name of his nominees; and any dividends payable to shareholders of the Company from time to time shall be computed and paid upon the paid-up portion of the shares held by the respective shareholders.

8. The Purchaser agrees upon the execution of this agreement to pay seventy-five thousand dollars (\$75,000) into a chartered bank to the credit of the Company, upon condition that the said sum shall remain on deposit to the credit of the Company not to be withdrawn until the said Act of the Parliament of Canada has gone into effect and all proper by-laws of the Company for carrying into full effect the terms and provisions of this agreement have been duly passed and confirmed and the provisions of this agreement carried into effect, and thereupon the said sum of seventy-five thousand dollars (\$75,000) upon the issuance and allotment of the said three thousand (3,000) shares to the Purchaser or his nominees shall become the property of the Company, but should these conditions not be fulfilled within one year from the date thereof, the said sum of seventy-five thousand dollars (\$75,000) shall be returned to the Purchaser, with any interest that may in the meantime be earned thereon and payable by the bank with which the said deposit shall have been made.

9. The Company agrees that forthwith upon the issue and allotment of the said three thousand (3,000) shares to the Purchaser or to his nominees, a majority of the seats at the Board of Directors of the Company shall be at the disposal of the Purchaser and that any resignations of Directors necessary to this

end shall be placed in the hands of the General Manager or Secretary of the Company.

10. The Company agrees that upon the approval of this agreement the Purchaser shall be permitted to examine the books and accounts and policies and assets of the Company by an accountant or an insurance expert to be agreed upon by the parties hereto whose examination shall be confidential, and the result of which shall be communicated only to the directors of the Company and to the Purchaser and to his nominees, who shall not disclose any information so communicated unless and until this agreement shall have gone into effect, provided always that if the result of the said examination is unsatisfactory to the Purchaser, this agreement be cancelled and void.

11. The Company agrees not to issue or allot any shares of the Company's capital stock after the execution of this agreement before the issue and allotment of the said three thousand (3,000) shares to the Purchaser and his nominees, if the same is to be made and before the Purchaser and his associates have been duly elected directors of the Company.

12. Provided always and notwithstanding anything hereinbefore contained the parties hereto agree that in case the Company shall hereafter with the consent of two-thirds of the then shareholders of the Company decide not to carry on business in its own name or with the like consent shall agree to sell or otherwise dispose of its assets or undertaking to any person or Company, then or in the event of any call being made on the stock the Purchaser and the parties then entitled to repayment of the said sum of seventy-five thousand dollars (\$75,000) out of profits as aforesaid, or so much thereof as may not have been repaid out of profits as aforesaid, shall at their option be entitled to apply any part of the said sum of seventy-five thousand dollars (\$75,000) with interest to date, remaining unpaid, on account of any balance remaining unpaid on the shares held by him and them respectively in the Company.

13. The Purchaser agrees that in the event of any part of the premium on the reduced stock being hereafter called up the purchaser or the then holders of the three thousand (3,000) shares will pay to the Company in respect to the said three thousand (3,000) shares the same amount per share as is so called up as premium on the reduced stock, which amount shall belong to the Company and shall not be credited upon the amount unpaid upon the said three thousand (3,000) shares.

14. The amount heretofore paid upon each of the shares (including the amount paid upon the premium thereon) of the Company remaining after the number of shares outstanding and the paid up capital with premium thereon have been reduced by one-half as aforesaid, shall be and remain the same on such remaining shares as now exists thereon, it being understood that the total amount thereof shall not exceed one-half of the amount now paid in on account of capital and premium

on all the outstanding shares; and if any share is sub-divided for the purpose of reduction of capital, the amount so paid up thereon shall be reduced in proportion to such subdivision.

15. The directors may reissue any portion of the stock cancelled or reduced as aforesaid at par to the shareholders and may sell any of the said shares not taken up by the shareholders.

16. Wherever the word "Purchaser" occurs or is referred to in this agreement it shall be construed to mean the Purchaser and any person or persons who may be nominated by him or claim through him or any of them.

In witness whereof the parties hereto have duly executed these presents.

Signed, Sealed and	{	THE CROWN LIFE INSURANCE
Delivered in the		COMPANY.
presence of		[SEAL] (The Crown Life Insurance Company)
WILLIAM WALLACE.		D. TISDALE, President.
		A. H. SELWYN MARKS, Secretary.

As to execution by H. S. Strathy:	{	H. S. STRATHY, [SEAL].
C. S. MACINNES.		

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OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 100.

#### An Act respecting the Cumberland Railway and Coal Company.

[Assented to 17th March, 1908.]

**W**HEREAS the Cumberland Railway and Coal Company has Preamble.  
by its petition prayed that it be enacted as hereinafter  
set forth, and it is expedient to grant the prayer of the said  
petition: Therefore His Majesty, by and with the advice and  
consent of the Senate and House of Commons of Canada, enacts  
as follows:—

**1.** Section 3 of chapter 77 of the statutes of 1883 is repealed, 1883, c. 77,  
new s. 3.  
and the following is substituted therefor:—

**“3.** The Cumberland Railway and Coal Company, hereinafter called ‘the Company,’ for the purposes of its undertaking may acquire the undertaking and property of the Spring Hill and Parrsboro’ Coal and Railway Company, Limited, and may extend the railway of the said company to West Bay, in the county of Cumberland, and to Oxford station, in the said county, so as to connect with the railway between Oxford and Pugwash, and may enter into an agreement with the government of Canada for running arrangements over that portion of the Intercolonial Railway of Canada between Oxford and Pugwash, and may buy or lease other coal mines, coal lands or timber limits in the province of Nova Scotia, or in the province of New Brunswick, and may buy, lease or construct wharfs in connection with its mines or railway; may work its mines or railway; may generate electricity and supply light, heat or power produced thereby for the purposes of its present undertaking; may acquire and hold stock, shares or bonds in companies other than railway companies; may sell any mines or other real or personal property it has acquired; and may buy, hire, charter, operate and sell vessels, steamers, ships and other Company  
may acquire  
Spring Hill  
and  
Parrsboro’  
Ry. Co.  
Extend  
railway to  
West Bay  
and Oxford.  
Running  
arrange-  
ments over  
other lines.  
Coal mines,  
lands and  
timber.  
Wharfs.  
Electricity,  
light or  
power.  
Shares of  
other  
companies.  
Mines.  
Vessels.  
suitable

suitable craft, for the transportation of coal and other minerals to ports in Canada or elsewhere."

As to coal lands, mines and timber limits already purchased.

2. No purchase of coal lands, coal mines or timber limits in the province of Nova Scotia, heretofore made by the Company, shall be declared invalid by reason of any want of power in the Company to acquire the same.

New s. 7.

3. Section 7 of the said Act is repealed and the following is substituted therefor:—

Issue of bonds.

"7. The directors may, after the sanction of the shareholders has been first obtained in accordance with section 136 of *The Railway Act*, issue bonds signed by the president or vice-president of the Company and countersigned by the secretary, and under the seal of the Company, and such bonds may bear any rate of interest not exceeding six per cent per annum, payable in Montreal or elsewhere, and shall, without registration or formal conveyance, be taken and considered to be,—subject in the first instance to the payment of any penalty imposed upon the Company for non-compliance with the requirements of *The Railway Act*, and next to the payment of the working expenditure of the railway,—the first and preferential claim and charge upon the property of the Company, real and personal; provided always that the whole amount of such bonds shall not exceed three million dollars."

S. 13 repealed.

4. Section 13 of the said Act is repealed.

Directors.

5. The number of directors shall be not less than nine nor more than fifteen, one or more of whom may be paid directors.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second Wednesday in February

R.S., c. 37. s. 142.

7. Subsection 2 of section 142 of *The Railway Act* shall not apply to the Company.

Issue of preference stock.

8. The directors may make by-laws for creating and issuing any part of the capital stock as preference stock, giving it such preference and priority, as respects dividends and in any other respect, over ordinary stock as is declared by such by-laws.

Rights of preference shareholders

2. Such by-laws may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give them such further control over the affairs of the Company as is considered expedient.

Approval of by-law.

3. No such by-law shall take effect until it has been sanctioned by a vote of three-fourths of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law (and such three-fourths of

the shareholders must represent two-thirds of the stock of the Company) or until such by-law is sanctioned in writing by all the shareholders of the Company.

9. Holders of shares of such preference stock shall be shareholders within the meaning of the Act incorporating the Company and of *The Railway Act*, and shall in all respects possess the rights and be subject to the liabilities of shareholders: Provided that in respect of dividends and in any other respect declared by by-law as authorized by either of the said Acts, they shall, as against the ordinary shareholders, be entitled to the preference and rights given by such by-law. Preference shareholders defined

10. *The Railway Act* shall, so far as applicable, apply to the Company, provided that the right of expropriation shall be limited to the purposes of the railway of the Company. R.S., c. 37.

11. The mortgage set out in the schedule to this Act, and the securities issued or to be issued thereunder, are hereby, subject to the provisions of *The Railway Act*, confirmed and declared to be valid and effectual according to the terms thereof. Mortgage in schedule confirmed.

## SCHEDULE

This indenture made in triplicate this thirteenth day of November, nineteen hundred and seven, between the Cumberland Railway and Coal Company, a company duly incorporated and having its head office at Montreal, in the province of Quebec, hereinafter called "the Company," of the first part, and the Royal Trust Company, a company duly incorporated, having its head office at the city of Montreal, in the province of Quebec, hereinafter called the "Trustee," of the second part.

Whereas the Company was duly incorporated by the Act 46 Victoria, Canada, chapter 77, under the name of the Cumberland Coal and Railway Company, and by the Act 47 Victoria, Canada, chapter 77, the name of the Company was changed to the Cumberland Railway and Coal Company; and whereas the paid up capital stock of the Company amounts to two million dollars; and whereas the Company has determined to issue bonds to the amount of one million five hundred thousand dollars as and in the manner and secured as hereinafter mentioned and provided; and whereas all necessary and requisite by-laws and resolutions of the directors and shareholders of the Company have been duly passed so as to make the said issue of bonds and the execution of these presents legal and valid in accordance with the statutes and laws in that behalf.

Now this indenture witnesseth that in consideration of the premises and of the sum of one dollar of lawful money of Canada to the Company in hand well and truly paid by the Trustee at



or immediately before the ensembling and delivery of these presents (the receipt whereof is hereby acknowledged), and in order to secure the payment of the principal and interest of the said bonds of the Company according to the tenor thereof, and in pursuance of the foregoing power and authority and every other power and authority it thereto enabling, the Company by these presents doth grant, bargain, sell, alien, release, convey, assign, transfer and set over unto the said The Royal Trust Company, its successors and assigns, all and singular the lands and lands covered with water, mining areas, buildings, grants of minerals, leases of minerals, leases of mining areas, licenses and rights of renewal of the coal mines, mining rights, easements, railways, tracks, roadbeds, wharves, tramways, bridges, piers, roads, telephone lines, revenues, tolls, which the Company may have or be entitled to, together, with all coal, ores, minerals, mineral substances, plant, machinery, patents, patent rights, locomotives and engines, rolling stock, ships, barges, stock of other corporations, contracts, obligations, powers, rights, privileges and all other personal property, whether situate in the province of Nova Scotia or elsewhere now owned or enjoyed by the Company or which at any time hereafter during the continuance of this security may be acquired, owned, held or enjoyed by it, except real, personal and mixed property specifically described in schedule "B" hereto. And for greater certainty but without limiting the generality of the foregoing description of the property hereby intended to be conveyed, the Company conveys to the Trustee the real personal and mixed property in the annexed schedule "A" described or intended so to be; all said properties and premises hereby conveyed or agreed so to be being hereinafter designated as "The Mortgaged Premises."

To have and to hold the Mortgaged Premises, and every part thereof, unto and to the use of the Trustee, its successors and assigns, forever, upon and for the trusts and for the purposes following, namely:—

#### ARTICLE FIRST.

##### BONDS.

##### I. Amount, form, etc.

A. The bonds to be secured by these presents are to be of date the first day of October, nineteen hundred and seven, and are to be for principal sums which shall not in the aggregate at any one time exceed the sum of one million five hundred thousand dollars, such principal sums being payable on the first day of October, one thousand nine hundred and thirty-seven or earlier, as therein and herein provided, with interest in the meantime at the rate of six per centum per annum, payable half-yearly. The bonds are to be numbered consecutively



from one to fifteen hundred, and are to be substantially in the form set out in the schedule hereto attached, marked "C."

B. The signature of the secretary holding office at the date of this mortgage may be engraved or lithographed upon said coupons, and such engraved or lithographed signature shall be binding upon the Company, notwithstanding that such person may not be secretary when the bonds are delivered. The said bonds or any of them may be signed by the president or vice-president and secretary holding office at the time of signing; and notwithstanding any change in any of the persons holding said offices between the time of actual signing and the certifying and delivery of the bonds, and notwithstanding that the president or vice-president or secretary signing may not have held office at the date of certifying and delivery of said bonds, the bonds so signed shall be valid and binding upon the Company.

C. The Company shall forthwith make, execute and deliver to the Trustee all of the said bonds and the Trustee shall thereupon certify the same and deliver the same so certified to the Company or to its order. Provided however that the Trustee shall retain bonds of equal face value to the outstanding bonds of the issue of the first September, 1886, hereinafter referred to, and shall deliver the said bonds so retained to the Company from time to time only in exchange for a like amount of bonds of the said outstanding issue. The bonds so surrendered shall be held and retained by the Trustee as additional security for the holders of the bonds hereby secured until all of said bonds shall have been so surrendered, and thereupon the Trustee shall cause the said bonds so surrendered to be cancelled.

D. No bonds shall be valid or obligatory unless certified by the Trustee in the terms of the certificate proposed to be endorsed thereon.

## II. Interim Certificate.

The Company may at its option in the first instance cause the Trustee to execute and the Trustee is hereby authorized upon a resolution of the Board of Directors of the Company to sign and execute in its own name as Trustee hereunder and to deliver to the Company Interim Certificates in amounts of one thousand dollars or any multiple thereof for principal sums in the aggregate of one million five hundred thousand dollars, less such sum as may represent at their face value outstanding bonds of the issue of the 1st September, 1886, as aforesaid which Interim Certificates shall entitle the holders thereof to bonds when ready for delivery. Such Interim Certificates shall be secured by the mortgage hereby created, and shall be exchanged for a like amount in engraved or lithographed bonds of the Company to be issued so soon as possible after such bonds are engraved or lithographed and executed as hereinbefore provided.

## III. No priority in bonds.

These presents shall secure the payment of each and all of the said bonds and interest without preference or priority of any one over any other bond by reason of priority in the issue or registration thereof, and each bond so soon as issued, reissued or negotiated, shall, subject to the terms hereof, be equally and proportionately secured hereby as if all had been issued, reissued or negotiated simultaneously.

## IV. Registration of bonds.

A. The Company shall at all times keep at its head office in the City of Montreal, a book in which the holder of a bond may register the same. Such registration shall be noted on the bond after which no transfer will be valid unless made by the registered owner or his attorney on the transfer book where such bond is registered and noted on the bond itself, but the bond may be discharged from registry by being transferred to bearer after which it shall be transferable by delivery, but may be again and from time to time registered and discharged from registry. The Company before making any transfer will be entitled to demand reasonable evidence of identity or title that the person making transfer is entitled to do so, and no transfer shall be registered during the seven days immediately preceding the day by the bond fixed for payment of interest. Registration of a bond shall not restrain the negotiability of the coupons by delivery merely. The Company shall be entitled to a fee of twenty-five cents per bond for such registration to be paid by the bondholder.

B. The registered holder for the time being of any of the bonds when registered, and the bearer thereof for the time being when not registered, and the bearer of each of the interest coupons annexed to any of the bonds shall be entitled to the principal moneys and interest secured by such instruments respectively, free from any equities or rights of set-off or counter claim between the Company and the original or any intermediate holder thereof, and all persons may act accordingly; and the receipt of any such registered holder or bearer, as the case may be, for any such principal moneys and interest shall be a good discharge to the Company or the Trustee respectively for the same, and neither the Company nor the Trustee shall be bound to inquire into the title of any such registered holder or bearer. No notice of any trust will be entered on the register of bonds or otherwise recognized.

C. As regards unregistered bonds, the Company and the Trustee may treat a certificate signed by any bank approved by the Trustee, stating that the bearer of the certificate is entitled to any specified bond or bonds hereby secured and that such bond or bonds have been deposited with such bank and will remain so deposited until the surrender of the certificate, as sufficient evidence of the facts certified so far as concerns

any request, direction or consent to be made or given by the holder of the bond or bonds; and as regards registered bonds so far as concerns any request or direction or consent as aforesaid the Company and the Trustee may treat the registered owner of any bond or bonds as the owner of the same, without actual production of such bond or bonds. The bearer of bonds not registered, and the bearer of interest coupons may be treated by the Company and the Trustee as the absolute owner of such bonds or coupons for all purposes.

#### V. Lost and Mutilated Bonds.

If any bond or coupon shall be lost, mutilated or destroyed, the Company may with the approval of the Trustee and upon such terms as to indemnity or otherwise as may be imposed cause to be issued and certified a new bond or coupon of like tenor and date and bearing the same serial number as the bond or coupon so mutilated, lost or destroyed, and which bond or coupon shall be secured hereby.

### ARTICLE SECOND.

#### REISSUE OF BONDS.

It is hereby declared that all or any of the bonds of this series may be issued absolutely or may be issued pledged, charged or hypothecated from time to time by the Company as security for advances or loans to or for indebtedness or other obligations of the Company, and when redelivered to the Company or its nominees, on or without payment, satisfaction, release or discharge, in whole or in part of any of such advances, loans, indebtedness or obligations, shall whilst the Company remains entitled thereto be treated as unissued bonds of this series, and accordingly may be issued or reissued, pledged, charged, hypothecated, sold or otherwise disposed of, as and when the Company may think fit, or at its option may be cancelled and fresh bonds to the like amount and in like form may be issued in lieu thereof; and all such bonds so issued, reissued or substituted shall from time to time rank as bonds of this series and shall be secured hereby and shall be subject to, and entitled to the benefit of, all the terms, conditions, rights, priorities and privileges hereby attached to or conferred on bonds of this series. But this clause shall be subject to the special provisions of Article Thirteenth as regards bonds redeemed under that article.

### ARTICLE THIRD.

#### COVENANTS BY COMPANY.

The Company for itself, its successors and assigns hereby covenants and agrees to and with the Trustee and its successors in the trust.



## A. Warranty of Title.

That its title to the Mortgaged Premises (other than the said leasehold lands and after acquired property) hereby conveyed is good and valid, and that the Company is now the absolute owner free from all encumbrances whatsoever of The Mortgaged Premises (other than the said leasehold lands and mining areas and after acquired property) and has a good and valid leasehold title to said leasehold lands and premises and mining areas for the respective terms thereof as mentioned in the leases for the same, free from all encumbrances except the rents and covenants reserved by the leases thereof, save and except however a certain mortgage deed of trust dated the first day of September, 1886, in favour of Messrs. Gilbert Scott and Edward S. Clouston as trustees to secure an issue of bonds amounting to one million two hundred and fifty thousand dollars, of which eight hundred and five thousand dollars are now outstanding and for the retirement of the whole or greater part whereof by an exchange for bonds of the present issue arrangements have been made.

## B. To pay principal and interest.

That it will duly and punctually pay or cause to be paid to every holder of any of the bonds the principal and interest accrued thereon at the dates and place and in the manner mentioned in these presents and in such bond, and in the coupons thereto belonging, all without any deduction from either principal or interest, for any tax or taxes, imposed or hereafter to be imposed by the Dominion of Canada, or by any province or municipality thereof, and which the Company may be entitled or required to pay or retain out of the said principal moneys or interest under or by reason of any present or future law of the Parliament of Canada or of the Legislature of any province thereof. The coupons when paid shall be forthwith cancelled and delivered to the Company and no purchase of any coupon nor any advance or loan thereon nor any redemption thereof by or on behalf of the Company shall keep such coupons alive or preserve its lien upon any part of the Mortgaged Premises.

## C. To carry on business.

That it will carry on and conduct its business in a proper and efficient manner and will keep proper books of account and make therein true and faithful entries of all its dealings and transactions in relation to its said business and at all reasonable times furnish the Trustee or the person appointed by it such information relating to its business as the Trustee may reasonably require, and such books of account shall be at all reasonable times open for the inspection of the Trustee or such other person or persons as the Trustee shall from time to time by instrument in writing for that purpose appoint.



D. To pay taxes.

That it will pay or cause to be paid as and when the same may become due all taxes, rates, levies or assessments, ordinary or extraordinary, Government fees, Royalties, rentals, or dues, levied, assessed or imposed upon the Company or due in respect to the Mortgaged Premises or any part thereof, and it will exhibit to the Trustee when required the receipts and vouchers establishing such payment.

E. To keep premises free of encumbrances.

It will keep the Mortgaged Premises at all times free from any liens or encumbrances entitled to priority over this mortgage.

F. To insure.

That it will insure and keep constantly insured that portion of the Mortgaged Premises which is of an insurable nature against loss or damage by fire, for as much as the same can be insured for up to the full insurable value thereof, in such insurance companies as the directors may select, and are not objected to by the Trustee, including manufacturers' factory or mutual companies in Canada or elsewhere, and duly and seasonably pay the premiums and other sums of money payable for that purpose, and assign said policies and make the insurance money or indemnity thereunder payable to the Trustee as its interest may appear, in such manner that the insurance moneys may be collected by the Trustee and be applied as herein specified, and that it will execute all transfers necessary for that purpose, and four days before any payment of premium becomes due will exhibit or deliver to the Trustee the receipt for such premium or otherwise establish to the satisfaction of the Trustee that such premiums or other sums of money have been paid.

G. To effect registration of deeds.

That it will at its own cost and expense register and file these presents and all other instruments presented to it for that purpose by the Trustee, without delay, at the office where the registration or record thereof may in the judgment of the Trustee be of advantage or necessary to the security hereby created, and that it will deliver or exhibit to the Trustee on demand, certificates establishing such registration and filing, and the same from time to time renew.

H. To maintain security.

That it will fully and effectually maintain and keep maintained the security hereby created as a valid and effective security at all times during the continuance of the said bonds or of any of them.

I. Not to remove plant, &c.

That it will not without the previous consent in writing of the Trustee remove or destroy any building, machinery or any structure whatever comprised in the Mortgaged Premises or the plant, machinery or fixtures attached or appertaining thereto

unless the same be worn out or injured, and the Trustee may if it think proper previous to giving its consent to such removal or destruction, accept as satisfactory proof as to the advisability thereof a resolution of the directors that such removal or destruction is, in their opinion, to the advantage of the Mortgaged Premises or such other proof as may in its opinion be sufficient; and that it will at all times repair and keep in repair and in good working order and condition, and maintain all buildings and erections and all machinery and plant comprised in the Mortgaged Premises used in or in connection with the said business up to a modern standard of usage, and whenever necessary renew and replace all and any of the same which may become worn, dilapidated, unserviceable, inconvenient or destroyed even by a fortuitous event, fire or other cause, and at all reasonable times allow the Trustee or its representative access to the Mortgaged Premises in order to view the state or condition the same are in.

J. To repay disbursements.

That it will repay to the Trustee from time to time on demand all moneys which may have been paid by the Trustee for premiums of insurance, repairs, taxes, legal expenses or charges or other expenditure whatsoever which the Trustee may reasonably incur in and about the execution of the trust hereby created, with interest thereon at legal rate from the date of expenditure and the same, together with the Trustee's remuneration, shall be a first charge upon the Mortgaged Premises in preference to any of the said bonds and coupons.

K. General covenant.

That it will do, observe and perform all matters and things necessary or expedient to be done, observed or performed in virtue of any law of the Dominion of Canada, or any province thereof, for the purpose of creating, performing or maintaining the present security, and will do, observe and perform all the obligations hereby imposed upon it.

L. Further assurance.

That it will do, execute, acknowledge and deliver, or cause to be done, executed, acknowledged and delivered, all and every such further acts, deeds, transfers and assurances in law as the Trustee shall reasonably require for the better accomplishing and effectuating the intentions and provisions of this deed, and whenever and as often as the Company shall hereafter acquire any additional property, real or personal, rights, powers or things whatsoever the Company shall possess and hold the same and every part and parcel thereof, upon and subject to the trusts of this deed, until conveyance, assignment, transfer or assurance thereof shall be duly made and delivered to the Trustee for the benefit of the trusts by these presents created, and that the Company shall execute all deeds and instruments which the Trustee shall present to it for that purpose, and the

Company hereby irrevocably appoints the Trustee, or its successors in the trust to be the attorneys of the Company and in the name and on behalf of the Company to execute and do any deeds, assurances or things which the Company ought to execute and do according to the terms of these presents, and generally to use the name of the Company in exercise of all or any of the powers hereby conferred on the Trustee.

#### ARTICLE FOURTH.

##### COMPANY TO RETAIN POSSESSION UNTIL DEFAULT.

The Trustee shall permit the Company to hold and enjoy full and undisturbed possession of the Mortgaged Premises, and each and every part thereof, and to carry on its business therein and therewith, and to receive and enjoy the tolls, rents, revenues, earnings and profits thereof until the present security shall become enforceable as herein provided, and it is hereby declared that the security hereby constituted shall, as regards the personal property of the Company other than chattels real and fixtures operate as a floating charge and security thereon and accordingly shall not hinder or prevent the Company in the ordinary course of its business and for the purpose of carrying on the same from selling, conveying, disposing of or otherwise dealing with the same.

#### ARTICLE FIFTH.

##### SECURITY WHEN ENFORCEABLE.

The present security shall become enforceable by the mere happening of each or any of the events following, subject always to the waiver by the Trustee or bondholders hereinafter provided for.

##### A. Default in payment of interest.

If the Company makes default in payment of any interest due on the bonds or on any of them and the said default shall have continued for a period of sixty days.

##### B. Default in payment of principal.

If the Company fails to pay the bonds or any principal money when due or exigible or within thirty days thereafter.

##### C. Default in payment of royalties.

If the Company fails to pay royalties or rentals in accordance with the terms of the leases held from the Crown represented in that behalf by the Commissioner of Mines and Public Works for the Province of Nova Scotia.

##### D. Insolvency of Company.

If the Company shall become insolvent or bankrupt or go into liquidation either voluntary or under an order of the



Court of competent jurisdiction or make a general assignment for the benefit of creditors or otherwise acknowledge its insolvency.

E. Appointment of liquidator.

If a liquidator, receiver or sequestrator be appointed to the Company.

F. Execution issued.

If any distress or process of execution be levied or enforced upon or against any of the chattels or property of the Company and remains unsatisfied for a period of two weeks as to personal and four weeks as to real property.

G. Company in default by breach of covenant.

If the Company shall fail or neglect to carry out or observe any covenant, agreement or condition contained in the present deed and undertaken by it other than the covenant to pay the principal and interest on said bonds and such default shall continue for two weeks after a notice in writing to the Company by the Trustee of such default.

H. Company stops payment.

If the Company shall stop payment or shall without the consent in writing of the Trustee cease to carry on its business or threaten so to do.

#### ARTICLE SIXTH.

##### TRUSTEE'S POWERS BEFORE SECURITY BECOMES ENFORCEABLE.

At any time before the security hereby constituted becomes enforceable, the Trustee, if it in its discretion sees fit so to do, may upon the application and at the expense of the Company, but only if and so far as in its opinion the interests of the bondholders shall not be prejudiced thereby, do or concur in doing all or any of the things following in respect of the Mortgaged Premises as herein defined, that is to say:—

1. To sell.

May sell, call in, collect and convert all or any of the Mortgaged Premises on such terms as to the Trustee may seem expedient, with full power to make any such sale for a lump sum or for a sum payable by instalments or for a sum on account and a mortgage or security for the balance. And may also lease any part or all of the Mortgaged Premises on such terms, rentals and other conditions as to the Trustee may seem expedient.

2. To renew leases

May acquire a new lease of any leasehold hereditaments for the time being, forming part of the Mortgaged Premises for such terms not being less than the then residue of the then existing term therein, and at such rent and subject to such covenants and conditions as to the Trustee may seem expedient, and for that purpose, if thought fit surrender the then



existing lease of such hereditaments and the then existing term therein, and may consent to the surrender of leases to the Crown of mining areas and accept in lieu thereof new leases of the same areas or of the areas intended to be granted by the leases so surrendered.

3. To exchange.

May exchange any part or parts of the Mortgaged Premises for any other property suitable for the purposes of the Company, and upon such terms as to the Trustee may seem expedient, and either without or with payment or reception of money for equality of exchange or otherwise.

4. To assent to modification of contracts.

May consent to the modification of any contracts or arrangements which may be now or hereafter subsisting in respect of any of the Mortgaged Premises and in particular the terms of any leases or covenants.

5. To purchase.

May with money forming part of the Mortgaged Premises purchase or otherwise acquire any immovable property which may seem suitable for the purposes of the Company, and also any new or improved or substituted machinery, plant or fixtures which may seem so suitable.

6. To compromise.

May settle, adjust, refer to arbitration, compromise, and arrange (with or without suit) all accounts, reckonings, controversies, claims and demands whatsoever open, unsettled or pending with any person or persons in relation to any of the Mortgaged Premises.

7. To improve premises.

May apply any net capital moneys arising from any sale, lease or other dealing with the Mortgaged Premises under this clause in developing, improving, protecting, preserving and maintaining in good working order and condition any of the Mortgaged Premises, or in erecting or constructing any building or works in procuring any new or substituted or improved machinery or other plant or fixtures, or in preventing or endeavoring to prevent loss or apprehended loss thereof or detriment to any of the Mortgaged Premises.

8. To release.

May release any part of the Mortgaged Premises which in the opinion of the Trustee is unprofitable or a danger to the Company.

9. Limitation of authority.

The powers of sale, lease and exchange contained in subsections 1 and 3 of this article, except in respect of small transactions, not exceeding twenty-five thousand dollars for any single transaction, shall not be exercised without the authority of a resolution of the bondholders passed as herein provided.

## 10. Application of moneys.

All net capital moneys arising under this article and all assets acquired pursuant thereto shall become part of the Mortgaged Premises, and shall be vested in the Trustee accordingly, unless the same arise from dealings with personal property of the Company (which is not intended to include its mining areas), in which case such net capital moneys shall be paid over to the Company.

## 11. Powers of Company not curtailed.

Nothing in this article contained shall derogate from or curtail the powers of the Company to sell or otherwise deal with its personal property (which is not intended to include its mining areas) as contemplated in Article Fourth hereof, or render it necessary as regards such dealings to proceed under this article.

## 12. Investment.

Subject as aforesaid, the Trustee shall invest the net capital moneys which may come into its hands upon some or one of the investments herein authorized, with power from time to time, at its discretion to vary such investments, and with power to resort to any such last mentioned investments, for any of the purposes for which such proceeds are under this clause authorized to be expended, and subject as aforesaid, the Trustee shall stand possessed of the said investments upon trust, until the security hereby constituted shall have become enforceable, to pay the income thereof and any net moneys in the nature of income arising under this article, to the Company or its assigns; and after the security hereby constituted shall have become enforceable, shall hold the said investments and the income thereof respectively and the net moneys in the nature of income, upon and for the trusts and purposes hereinbefore expressed concerning the moneys to arise from any sale, calling in, collection and conversion under article tenth hereof. Provided always that if the security hereby constituted shall not become enforceable, then after payment and satisfaction of all moneys intended to be secured by these presents the said investments and the income thereof and not moneys last aforesaid shall be held in trust for the Company or its assigns.

## ARTICLE SEVENTH.

## GENERAL POWERS AND DUTIES OF TRUSTEE.

## 1. Not bound to give security.

The Trustee shall not be required to give security for its conduct or administration and shall not be responsible for the acts of any agents whom it may reasonably employ in connection with its performance of its duties hereunder.

## 2. Not bound to act except on requisition and indemnity.

The Trustee shall not be bound to do or take any act or  
action

action in virtue of the powers conferred or obligations imposed on it hereunder, unless and until it has been required to do so by writing signed by holders of bonds, forming at least one-fourth in nominal value of the then outstanding bonds, defining the action which it is required to take, and the Trustee may, before taking such action, require the bondholders at whose instance it is required to deposit with the Trustee the bonds so held by them, for which bonds the Trustee shall issue receipts.

The obligation of the Trustee to commence or continue any act, action or proceeding for the purpose of realizing upon the Mortgaged Premises, shall be conditional upon the bondholders furnishing sufficient funds when so required in writing by the Trustee to commence or continue such act, action or proceeding, and a sufficient bond of indemnity to protect and hold harmless the Trustee against loss and damage by reason thereof.

### 3. To appoint agents.

The Trustee may for the execution of the duties and in execution of the powers conferred upon it, appoint or employ as its adviser, agents, representatives or otherwise, any counsel, solicitors, advocates, notaries, accountants, clerks or inspectors or other agents.

### 4. Trustee may insure.

In the event of the Company failing to insure the Mortgaged Premises against loss or damage by fire or to transfer the insurance, or to assign or make the insurance moneys payable to the Trustee, or to deliver and exhibit receipts or otherwise satisfy the Trustee of the payment of premiums as hereinbefore provided, the Trustee may either effect such insurance to its satisfaction or may notify the bondholders of the failure of the Company to so insure, provided always that any bondholder may on such default insure his interest at the cost of the Company.

### 5. Trustee may repair.

Should the Company fail or neglect to repair and keep the Mortgaged Premises or any part thereof in a good state of repair and in perfect working order or to renew or replace any part thereof which may require a renewal or replacement as hereinabove provided after having been notified in writing by the Trustee to repair, replace, or renew the same and after either having refused or having failed to do so within a reasonable time in the opinion of the Trustee, then the Trustee may in its discretion repair, replace, or renew the same.

### 6. Partial release of security.

The Trustee may upon the written request of the Company established by resolution of its Board of Directors, and at its expense, from time to time, but subject to the conditions and limitations hereinafter provided, and not otherwise and upon



such terms and verifications as the Trustee may require, release from the lien and operation of these presents and the mortgage hereby created, any part of the Mortgaged Premises, provided that it shall appear to the Trustee that the release is desirable in the conduct of the business of the Company, and provided also that the Company shall acquire so as to pass under the lien and operation of these presents further real estate or other property or improve the premises or property hereby mortgaged or pay money to the Trustee to an amount equal in value to the property released. The Trustee may in its discretion accept and act upon as satisfactory evidence of the value of any property to be released or to be received as aforesaid or of any fact necessary or proper for the Trustee to investigate preparatory to taking any action with reference to any such release, the certificate of a majority of the Board of Directors of the Company including the President or Vice-President.

7. Application of proceeds of insurance and releases.

All moneys received by the Trustee from insurance or upon releases of property shall be held and invested by it as security for the bonds secured hereby subject to the right of the Company upon its written requisition authorised by a resolution of the Board of Directors to receive from the Trustee and to apply any such moneys, or the income thereof, held by the Trustee, to repairing, building, or constructing, rebuilding, reconstructing or purchasing and placing upon the property mortgaged hereunder any buildings, machinery, fixtures or other improvements or to have the same employed in the payment of any bonds which may be then redeemable, but no such application of such moneys shall be made by the Company at any time when the Company is in default hereunder or when the Trustee is in possession of mortgaged premises or any part thereof under the right of entry hereinafter provided without the written concurrence of the holders of a majority in value of the bonds outstanding. In no case shall the receipt of any moneys for insurance or release of the Mortgaged Premises be deemed to be a payment on account of the bonds secured hereunder nor shall the mortgage be lessened, novated, or in any other way interfered with by reason of any such receipt, any law, usage or custom to the contrary notwithstanding.

ARTICLE EIGHTH.

TRUSTEE MAY CONTRACT WITH COMPANY.

The Trustee shall not by reason of its fiduciary position be in any wise precluded from making any contract or entering into any transactions with the Company in the ordinary course of the Trustee's business, and without prejudice to the generality



erality of these provisions it is expressly declared that such contracts and transactions include any work or transaction in relation to the placing of the stock shares, debentures stock or other security of the Company or in which the Company is interested.

#### ARTICLE NINTH.

##### WAIVER OF DEFAULT.

The Trustee may from time to time and at any time by instrument in writing only, waive upon such terms and conditions as it may seem expedient any breach by the Company of any of the covenants in the present deed contained, other than the covenant to pay principal or interest; and a majority in interest of the holders of all the bonds aforesaid which shall be then outstanding and upon which default in the payment of interest shall have been made and shall be continuing, shall have power by an instrument in writing under their hands and seals or by the affirmative vote of such majority at a meeting duly convened and held as herein provided to instruct the Trustee to waive and the Trustee shall thereupon waive such default or such rights of enforcement of the security hereunder or a default in payment of any instalment of interest on any of the said bonds on such terms and conditions as such majority in interest shall prescribe, provided always that no act or omission either of the Trustee or of the bondholders in the premises shall extend to or be taken in any manner whatsoever to affect any subsequent default or the rights resulting therefrom.

#### ARTICLE TENTH.

##### REMEDIES IN CASE OF DEFAULT.

###### 1. Acceleration of maturity in default.

At any time after the security hereby constituted has become enforceable, the Trustee may, and shall at the written request of the holder or holders of a majority in value of said bonds then outstanding, by notice in writing to the Company, declare that said bonds are payable, notwithstanding the time limited in the said bonds for the payment of the principal moneys thereof may not have elapsed, and the said principal moneys thereby secured shall thereupon become and be immediately due and payable accordingly. Provided, however, that the holders of a majority in value of said bonds shall have the power by an instrument in writing to cancel any declaration already made to that effect, or to waive the right so to declare on such terms and conditions as they may prescribe; provided

always that no act or omission either of the Trustee or of the bondholders in the premises shall extend to or be taken in any manner whatsoever to affect any subsequent default or the rights resulting therefrom.

2. Entry on default.

In case default shall be made in the payment of the principal or interest on any bonds secured hereby or if and whenever the security hereby constituted shall in any other way be enforceable as herein provided, the Trustee may in its discretion (after having given notice in writing to the Company as herein provided and upon failure by the Company to comply with the requirements of such notice) and shall, upon the request in writing of the holders of one-half of the total amount of the then outstanding bonds, and after giving the aforesaid notice in writing to the Company by its officers, agents or attorneys, enter into and upon and take possession of all or any part of the Mortgaged Premises, and thenceforth have, hold, possess and use the said Mortgaged Premises and each and every part thereof, with full power to carry on, manage and conduct the business operations of the Company and to receive the rents, incomes, issues and profits of said property and business and to pay therefrom all the expenses, charges and advances of the Trustee in carrying on the said business or otherwise, and all taxes, assessments and other charges against the property ranking in priority to the bonds and coupons and to apply the remainder of the money so received, first, in payment of the coupons due and unpaid in the order of their maturity with interest, and the balance if any shall be held and applied in the same manner as if received from insurances or from releases of property, but the Trustee may, if it so elect, restore the said property and business to the Company, and pay to it any balance of income so received after such payment of all coupons and interest then due upon the bonds, and in case of any such return on the property to the Company; the principal of the said bonds shall no longer be deemed to have become exigible by reason of the default in payment of interest or by any other occurrence hereunder whereby the right of entry becomes vested in said Trustee, and it shall be lawful for the Trustee either after such entry or taking possession as aforesaid, or after other entry or taking possession, by its officers or agents or without any entry or taking possession, and whether in or out of possession, to sell and dispose of and upon like request the said Trustee shall sell and dispose of the Mortgaged Premises or any of them or any portion thereof either as a whole or in part at public auction or by private sale at such price as it may deem best and at such time and on such terms and conditions as the Trustee shall appoint, having first given such notice of the time and place of such sale as it may think proper, and it shall be lawful for the Trustee to make such sale upon such reasonable

conditions as to upset and reserve bid or price and as to terms of payment as it may deem proper; to receive the price or consideration of such sale in its discretion, in whole or in part, in bonds secured hereunder in such proportion at such rate and for such amounts as it may deem proper; also to rescind or vary any contract of sale that may have been entered into and resell with or under any of the powers conferred herein, and to adjourn such sale from time to time and make and deliver to the purchaser or purchasers of the said property or any part thereof, good and sufficient deed or deeds for the same, the Trustee being hereby constituted the irrevocable attorney of the Company for the purpose of making such sale and executing such deeds, which sale made as aforesaid shall be a perpetual bar against the Company and its assigns and all other persons claiming the said property or any part or parcel thereof by, from, through or under the Company or its assigns, and the proceeds of the said sale shall be distributed in the manner hereinafter provided.

And it is hereby declared and agreed that the receipt of the Trustee for any moneys paid to it shall effectually discharge the purchaser or purchasers or other person paying the same therefrom or from being bound to see the proper application thereof, or from being in any manner answerable for the loss or misapplication thereof, or from being bound to inquire into the authority for or necessity of making any such sale, and any such sale as regards any purchaser in good faith shall be valid whether or not the security has become enforceable, and whether or not the proper notice has been given or the other provisions hereof complied with.

### 3. Notice before entry of sale.

In the event of the present security becoming enforceable, the Trustee shall before making any entry or any sale or conversion under the powers hereinafter granted, unless an order or resolution for the winding-up of the Company has been made or passed or excepting also that the Trustee shall certify that in its opinion further delay would imperil the interests of the bondholders, give fifteen days written notice of its intention to the Company, and if the Company shall, within the said delay of fifteen days, fully make good and repair the default or breach of obligation by reason of which the security has become enforceable, and give satisfactory evidence to the Trustee that it has done so, the Trustee shall not make such entry, sale or conversion.

### 4. Company agrees to surrender.

The Company in case the security hereby constituted becomes enforceable, binds and obliges itself forthwith on demand of the Trustee to yield up possession of the Mortgaged Premises and the conduct of the business to the said Trustee and agrees to put no obstacle in the way of, but to facilitate by all legal



means the actions of the Trustee and not to interfere with the carrying out of the powers hereby granted to it and the Company shall consent and hereby consents to the appointment in such case of a receiver, manager, liquidator or sequestrator, with all such powers as the Trustee is hereby vested with if so required by the Trustee. The Company hereby binds itself in the said event to consent to any petition or application presented to the court by the Trustee in order to effectuate the intent of this deed and the Company shall not after receiving notice from the said Trustee that it has taken possession of the said business in virtue of these presents continue in the said business unless with the express written consent and authority of the Trustee and shall forthwith by and through its officers and directors execute such documents and transfers as may be necessary to place said Trustee in legal possession of the said property and business and after receipt of such notice, all the powers and functions, rights and privileges of each and every of the directors and officers of the Company shall cease and determine with respect to the Mortgaged Premises unless specially continued in writing by the said Trustee or unless the property shall have been restored to the Company as provided in clause two of this article.

5. Confirmatory deed.

In case of any sale hereunder, whether by the Trustee or under judicial proceedings the Company agrees that it will execute to the purchaser or purchasers on demand, any necessary or reasonable instrument or confirm to the purchaser or purchasers the title of the property so sold, and in case of any such sale under judicial proceedings, the Trustee is hereby irrevocably authorized to execute on behalf of the Company and in its name any such confirmatory instrument.

6. Trustee may appoint receiver.

The Trustee, at any time after the security hereby constituted has become enforceable, may by writing appoint a receiver or receivers of the Mortgaged Premises, or any part thereof, and remove any receiver so appointed and appoint another in his stead, and the following provisions shall have effect:—

A. Such appointment may be made either before or after the Trustee shall have entered into or taken possession of the Mortgaged Premises, or any part thereof.

B. The Trustee may delegate to any such receiver or receivers all or any of the powers and discretions of the Trustee hereunder as the Trustee may deem expedient.

C. Such receiver or receivers shall, in the exercise of his or their powers, authorities and discretions, conform to the regulations and directions from time to time made and given by the Trustee.



D. The Trustee may from time to time fix the remuneration of such receiver or receivers, and direct payment thereof out of the Mortgaged Premises.

E. The Trustee, from time to time, and at any time, require any such receiver or receivers to give security for the due performance of his or their duties as such receiver or receivers, and may fix the nature and the amount of the security so to be given, but the Trustee shall not be bound in any case to require any such security.

F. Save and so far as otherwise directed in writing by the Trustee, all moneys from time to time received by every such receiver or receivers shall be paid over to the Trustee, to be held by it on the trusts declared by clause seven of this article of and concerning the moneys to arise thereunder.

G. The Trustee may pay over to such receiver or receivers any moneys constituting part of the Mortgaged Premises to the intent that the same may be applied for the purposes hereof by such receiver or receivers, and the Trustee may from time to time determine what funds the receiver or receivers shall be at liberty to keep in hand, with a view to the performance of his or their duties as such receiver or receivers.

H. As regards responsibility, any receiver appointed as aforesaid shall be deemed to be the agent of the Company.

#### 7. Distribution of proceeds on realization.

The Trustee shall hold the moneys to arise from any sale or realization of the whole or any part of the Mortgaged Premises or any other security to which it may be entitled upon trust, that it shall thereout, in the first place, pay or retain the costs, charges and expenses incurred in or about the execution of the trust or otherwise in relation to these presents, and shall apply the residue of the said moneys:—

(a) In or towards the payment to the holders of the bonds *pari passu* in proportion to the amount due to them respectively, and without any preference or priority whatsoever, of all arrears of interest remaining unpaid on such bonds.

(b) In or towards payment to the holders of the bonds *pari passu* in proportion to the amount due to them respectively, and without any preference or priority either on account of priority of issue or of any bond having been drawn for redemption, or otherwise howsoever, of all principal and other moneys then due on such bonds, and the bondholders shall be bound to accept such payments whether such principal and other moneys shall or shall not then be payable according to the tenor of said bonds, or of these presents; and

(c) The Trustee shall pay the surplus, if any, of such moneys to the Company or its assigns.

#### 8. Notice of payment to be given.

Notice shall be given by the Trustee of any payment to be made under this Article to the bondholders in the manner set

forth in Article Fifteenth. Such notice shall state the time and place when and where such payment is to be made, and also the liability under the present security upon which it is to be imputed.

After the day so fixed the bondholders will only be entitled to the interest on the balance (if any) of the moneys due them on the bonds after deduction of the respective amounts payable in respect thereof on the day so fixed.

9. Trustee not bound to apply in certain cases.

The Trustee shall not be bound to apply or to make any payment whatsoever to the bondholders out of any moneys coming into its hands and apportionable amongst bondholders, if in its discretion the amount so received by it is insufficient or it should consider such application or payment inadvisable, but it may retain the moneys so received by it and deposit the same in some chartered bank to its credit, or invest the same as herein provided, until such time as such moneys or the investments representing the same, with the income derived therefrom, together with any other moneys for the time being under its control, are deemed by it to be sufficient or until such time as it considers it advisable to apply the same in the manner above set forth. Provided however that if the amount of the moneys at any time in its hands and apportionable among the bondholders shall exceed ten per cent on the nominal value of the bonds outstanding the Trustee shall distribute and apply the same under clause Seven of this Article if required so to do by bondholders representing ten per cent of the nominal value of the outstanding bonds.

10. Proof of right to payment.

The Trustee shall have the right at the time it makes any payment other than interest to any bondholder to demand of the person claiming such payment the production of the actual bond under which he claims such payment, and on the bond being so produced, and on the Trustee being satisfied that the person so presenting it is a holder in good faith, the Trustee may make such payment and shall cause to be endorsed on the bond a memorandum of the amount so paid and the date of payment, but the Trustee may, in its discretion, dispense with the production and endorsement upon a bond as aforesaid, in any special case upon such indemnity being given as it shall deem sufficient.

11. Investment of trust funds.

Any moneys which under the trusts herein contained ought to be invested, may be invested in the name or under the legal control of the Trustee in any of the public stocks or funds or government securities of the Dominion of Canada or any Province thereof, or in any other stocks, funds and securities authorised by the law of any of the Provinces of Canada for the investment of trust moneys, or may be placed on deposit

in the name of the Trustee in such chartered bank or banks of Canada as it may think fit. The Trustee may at all times sell, alter, and vary such investments.

12. Remedies cumulative.

No remedy herein conferred upon or reserved to the Trustee or upon or to the holders of bonds hereby secured is intended to be exclusive of any other remedy, but each and every such remedy shall be cumulative, and shall be in addition to every other remedy given hereunder or now existing or hereafter to exist by law or by statute, and the same shall not be deemed except as herein provided in any manner whatsoever to deprive the Trustee or any bondholder of any right to legal or equitable remedies; and notwithstanding any demand of bondholders for the exercise of any of the remedies hereby given, the Trustee at its option may apply to the proper Court for an order that the trusts hereof be carried into execution under the direction of the Court or for the appointment of a receiver or "a receiver and manager" of the Mortgaged Premises, or for any other order in relation to the administration of the trusts hereof which it may deem expedient.

ARTICLE ELEVENTH.

NO SUIT BY BONDHOLDERS.

No holder of any bond or coupon hereby secured shall have any right to institute any suit, action or proceeding for the purpose of bringing the Mortgaged Premises to sale or for the execution of any trust hereof, or for the appointment of a receiver, liquidator or sequestrator or to have the Company wound up or for any other remedy hereunder unless such holder shall previously have given to the Trustee written notice of default on the part of the Company and of the continuance thereof for one month nor unless the holders of thirty-three per cent in amount of the bonds hereby secured and then outstanding shall have made written request to the Trustee and shall have afforded to it reasonable opportunity either itself to proceed to exercise the powers herein granted or to institute such action, suit or proceeding in its own name, nor unless also such bondholder or bondholders shall have afforded to the Trustee adequate security and indemnity against the costs, expenses and liabilities to be incurred therein or thereby (nor unless also the Trustee shall have failed to act within a reasonable time after such notification, request and offer of indemnity) and such notification, request and offer of indemnity are hereby declared in every case at the option of the Trustee to be conditions precedent to the execution of the powers and trusts of this deed, and to any action or cause of action, for the appointment of a liquidator or receiver, or for



any other remedy hereunder, it being understood and intended that no one or more holders of bonds or coupons shall have any right in any manner whatever to affect, disturb or prejudice the present security by his or their action or to enforce any right hereunder except in the manner herein provided, and that all powers and trusts hereunder and all proceedings at law shall be instituted, had and maintained in the manner herein provided, and for the equal benefit of all holders of such outstanding bonds and coupons.

#### ARTICLE TWELFTH.

##### COMPANY TO PAY TRUSTEE AFTER DEFAULT.

In case the security hereby constituted shall become enforceable as hereinbefore provided, the Company shall and will pay forthwith to the Trustee on demand for the benefit of the holders of the bonds secured hereby the principal and interest due upon all of the bonds then outstanding and such payment when made shall be deemed to have been made on such bonds and coupons, and any moneys so received by the Trustee shall be applied in the same manner as if they were proceeds of the sale of the Mortgaged Premises.

#### ARTICLE THIRTEENTH.

##### REDEMPTION OF BONDS.

The Company shall have the right at any time and from time to time to redeem all or any of the bonds outstanding before the date fixed for the payment of the same at one hundred and five dollars for each hundred dollars principal so redeemed and accrued interest.

In the event of the Company desiring to redeem all the bonds outstanding it shall be bound to give the bondholders in the manner provided in article fifteenth thirty days previous notice in writing of its intention, and shall mention in said notice on the day on which it intends to make payment. Should the Company desire to redeem only a part of the bonds outstanding the bonds so to be redeemed shall be determined by means of a drawing in a manner approved of by the Trustee. After such drawing the Company shall give notice in the manner hereinbefore provided, specifying which bonds have been drawn for redemption; such notice shall mention the number of the bonds and the day upon which payment will be made. The numbers of the bonds so drawn shall be recorded in a book kept for that purpose by the Trustee, which record in the case of each drawing shall be signed by the Trustee.

The bonds so to be redeemed shall be paid off on the day fixed for their redemption in the notice sent to the bondholders,



which day must be at least thirty days after the date upon which said notice is first published or mailed and interest must be paid on every bond so redeemed to that day, together with the premium of five dollars for every hundred dollars of the nominal value of every bond so redeemed, but the Company may pay said bonds before the day so fixed by payment of the principal sum and interest thereon up to the day so fixed, together with the said premium. Upon deposit with the Trustee of the amount necessary to redeem such bonds the Company shall cease to be liable thereon and interest shall be no longer payable by it.

All bonds redeemed by the Company shall be forthwith cancelled, and the Company shall not issue any bonds as of this series in substitution for said bonds so redeemed and cancelled.

#### ARTICLE FOURTEENTH.

##### PAYMENT ON VOLUNTARY LIQUIDATION.

If the bonds should at any time become payable owing to the voluntary winding-up of the Company, the holders shall be entitled to and shall be paid a premium of five dollars on each one hundred dollars principal.

#### ARTICLE FIFTEENTH.

##### NOTICE TO BONDHOLDERS.

The Company shall keep at the office of the Trustee a register in which shall be entered the name, occupation and post office address of every holder of any of the bonds who may so require. Every bondholder may communicate his post office address to the Trustee, and all notices to be given hereunder in respect of the said bonds shall be deemed to be validly given if sent by registered mail addressed to said bondholder at such post office address as aforesaid. Bondholders who have not registered their post office address as herein provided shall be notified by advertisement inserted for ten consecutive days in one daily newspaper published at the city of Montreal; the form of notice to be determined by the Trustee until otherwise provided in accordance with the provision of this deed, and such advertisement shall be deemed to be valid notice for all purposes connected with the present security.

Any such notice shall be deemed to be given on the day on which it is mailed or first published in a newspaper as the case may be.

## ARTICLE SIXTEENTH.

## MEETINGS OF BONDHOLDERS.

Meetings of the bondholders shall be convened, held and conducted in the manner following:—

1. Convening of meetings.

The Trustee or the Company may respectively at any time convene a meeting of the bondholders, and the Trustee shall convene such a meeting on being served with a request in writing for the same, signed by bondholders representing at least ten per cent in nominal value of the bonds outstanding. In the event of the Trustee failing to convene a meeting after being thereunto required by the bondholders as above set forth, the requisite number of bondholders may themselves convene and hold such meeting. Whenever the Company is about to convene any such meeting it shall forthwith give such notice in writing to the Trustee of the place, day and hour thereof, and of the nature of the business to be transacted thereat.

2. Notice.

Thirty days previous notice shall be given to the bondholders of such meeting, which notice shall state the time when and the place where said meeting is to be held, and shall specify the nature of the business to be transacted, and no business shall be transacted at said meeting other than that specified in said notice.

3. Quorum.

At any such meeting of the bondholders a quorum shall consist of bondholders representing such proportion of the nominal value of the outstanding bonds, not less than one-third, as may be determined on by resolution of the bondholders at any meeting until a quorum is so defined it shall consist of bondholders representing a majority of the nominal value of the outstanding bonds.

4. Chairman, &c.

Some person, who shall be a bondholder, shall be nominated by the Trustee to be chairman of the meeting, and if no person is so nominated or if the person so nominated is not present within fifteen minutes from the time fixed for the holding of the meeting, the bondholders present shall choose one of their number to be chairman.

5. Representative of Trustee and Company.

The Trustee and its legal advisers and the directors and the secretary and the legal advisers of the Company may attend any such meeting.

6. Adjournment if no quorum.

If half an hour elapse from the time fixed for holding said meeting and there are not present a quorum of the bondholders the meeting shall stand adjourned to the same day in the fol-

lowing week at the same hour and place, and if at such adjourned meeting a quorum is not present, the meeting shall stand dissolved.

#### 7. Voting.

Every question submitted to a meeting shall be decided in the first place by a show of hands, and in case of an equality of votes the chairman shall both on the show of hands and at the poll have a vote in addition to such vote to which he may be entitled as a bondholder.

#### 8. Poll.

On any question submitted to a meeting, bondholders representing at least twenty-five thousand dollars of the nominal value of the bonds shall be entitled to demand a poll, and such poll shall be taken at once or after adjournment and in such manner as the chairman directs, and the result of such poll shall be deemed to be a resolution of the meeting at which said poll was demanded.

#### 9. Adjournment.

With the consent of the majority in value of the bondholders present the meeting may be adjourned from time to time.

#### 10. Proof of authority to vote.

At any meeting of the bondholders the respective bearers of the bonds, and no other person or persons shall be recognized as the legal holders thereof, and this whether the bonds are to bearer or are registered, and such bearers shall be exclusively entitled to take part in the meeting or vote in respect of such bonds thereat.

The Trustee may require said bearers to deposit with it their bonds during the continuance of the meeting.

#### 11. Votes, how counted.

At any meeting of the bondholders, if a poll be taken, each bond shall confer one vote, but on a show of hands each person voting shall have one vote only.

#### 12. Extraordinary resolutions.

A meeting of the bondholders shall, in addition to the powers hereinbefore given, have the following powers exercisable by extraordinary resolution alone.

##### A. To sanction surrender of Mortgaged Premises.

Power to sanction the surrender or release of the whole or any part of the Mortgaged Premises.

##### B. To sanction modification of bondholders' rights.

Power to sanction any modification or compromise of the rights of the bondholders or Trustee, or both, against the Company or against its property, whether such rights shall arise under the provisions of this deed or under the bonds or otherwise.

##### C. To require Trustee to surrender.

Power to require the Trustee, on having entered into or taken possession of the Mortgaged Premises or any part thereof, to



restore the same to the Company upon such conditions as the bondholders may direct.

D. To sanction agreement to postpone payment.

Power to sanction any agreement entered into between the Trustee and the Company, or between other parties under the provisions of this deed for the purpose of postponing the time for the payment of the principal money and the interest secured upon the bonds or any of them.

E. To sanction modification of deed.

Power to consent to any modification or alteration in the provisions contained in this deed.

F. To require Trustee to exercise powers.

Power to require the Trustee to exercise or refrain from exercising any of the powers conferred upon it by virtue of this deed upon such terms as may be decided upon.

G. To remove Trustee.

Power to remove the Trustee from office and appoint another or others in its place.

H. To accept other security.

Power to agree to accept any other property or securities instead of the bonds and in particular any bonds or debenture stock of the Company.

13. Resolutions binding on all bondholders.

Any extraordinary resolution passed at a meeting of the bondholders held in accordance with this Article shall be binding upon all the bondholders whether present or absent, and each and every bondholder shall be bound to give effect thereto accordingly.

14. Definition of extraordinary resolution.

The expression "extraordinary resolution" when used in this deed means a resolution passed at a meeting of the bondholders duly convened and held in accordance with this Article at which are present or represented bondholders representing a majority of the bonds outstanding by a majority consisting of not less than three-fourths of the persons voting thereat, the votes to be counted in accordance with section eleven of this Article.

15. Declaration by Chairman proof.

At any meeting of the bondholders, unless a poll be demanded, a declaration made by the Chairman that a resolution has been carried or carried by any particular majority shall be conclusive evidence.

16. Minutes.

Minutes of all resolutions and proceedings at every such meeting as aforesaid shall be made and duly entered in books to be from time to time provided for that purpose by the Trustee at the expense of the Company, and any such minutes as aforesaid if signed by the Chairman of the meeting at which such resolutions were passed or proceedings had or by the Chairman



of the next succeeding meeting shall be *prima facie* conclusive evidence of the matters therein stated, and until the contrary is proved every such meeting in respect of the proceedings of which minutes have been made shall be deemed to have been duly held and convened, and all resolutions passed or proceedings had to have been duly passed and had.

#### ARTICLE SEVENTEENTH.

##### INSTRUCTIONS IN WRITING BY BONDHOLDERS.

Bondholders may by a declaration in writing signed by the holders of all the bonds outstanding and addressed to and served upon the Trustee direct and exercise all the powers which a meeting of the bondholders could by resolution or extraordinary resolution exercise or direct.

#### ARTICLE EIGHTEENTH.

##### DISCHARGE OF SECURITY.

###### 1. Partial discharge.

It shall be the duty of the Trustee from time to time upon such evidence as it may require to sign and execute such receipts, discharges, acquittances and other documents as may be necessary to effect the cancellation of the liability and mortgage hereby created to the amount of such bonds as the Company may have redeemed, paid or cancelled.

###### 2. Final discharge.

When all the bonds and interest hereby secured shall have been paid in full and cancelled or shall have been provided for by deposit of moneys therefor with the Trustee as hereinafter provided, and all other sums payable hereunder by the Company shall have been paid, and all things herein required to be performed by the Company according to the true intent and meaning of this deed shall have been duly performed, then, and in that case, the Mortgaged Premises shall revert to the Company, and the Trustee in such case, upon proof being given to its reasonable satisfaction, shall, on the demand of the Company, and at its cost and expense, enter satisfaction of this mortgage upon the records, and cause to be executed a discharge and acquittance of the same, and execute such other reconveyances and releases of the Mortgaged Premises as may be reasonably required by the Company.

###### 3. Cancellation of bonds.

No bond shall be cancelled or deemed to have been cancelled for the purpose of the present deed unless it appears by the certificate of a notary public that such bond has been produced in his presence and in the presence of the Trustee or of its duly

qualified representative, and of a representative of the Company specially nominated for that purpose and then and there in the presence of the notary the Company declare by its said representative that such bond and all interest due thereon and all other sums due thereunder or appurtenant thereto in virtue of the provisions of the present deed have been paid or otherwise satisfied, and that said bond be then and there destroyed.

The notary public officiating at such cancellation shall prepare a certificate *en minute* setting forth the above facts, which certificate shall be signed by the above named parties and declared to by them under the provisions of the Canada Evidence Act.

#### 4. Non-production of bonds.

In the event of a holder not being able to produce any bond upon the maturity thereof, or upon the same being drawn for redemption, a certificate of the Trustee of the deposit with it of the amount necessary to pay or redeem such bond with interest in accordance with the provisions thereof shall avail as a cancellation of such bond for the purposes hereof, and as a sufficient authorization to the Company to cancel the entries relating to such bond, and to the Trustee to discharge the security hereby created *pro tanto*.

### ARTICLE NINETEENTH.

#### VACANCY IN TRUST.

In the event of the office of Trustee becoming vacant by resignation or otherwise, such vacancy shall be filled by a resolution passed by a majority in nominal value of the holders of the bonds outstanding who may be present and vote at a meeting called for that purpose. If the bondholders fail to make such appointment within two months from the date on which the vacancy occurs, the Company shall apply, provided the security hereby constituted be not enforceable, and if the security be enforceable or the Company fail to so apply, then and in such case, any bondholder or bondholders, or in default of any of said parties, the retiring trustee may apply to a judge of the Superior Court of the province of Quebec in the district of Montreal, who, after having given such notice to the bondholders as he may deem requisite and having heard the interested parties, may appoint a new trustee. A corporation or company may be appointed as trustee, and in such case there shall be one trustee. If individuals be appointed, there shall be three, in which case the majority shall have the power to act and shall be entitled and competent to exercise all the trusts, powers and discretions hereby vested in the Trustee. No director, officer or employee of the Company shall in any case be appointed a trustee. When and so often as a new

trustee is appointed, the rights, properties and powers vested in the former trustee in virtue of the security hereby constituted shall, by reason of such appointment *ipso facto*, be and become vested in like manner in the new trustee or trustees without any further conveyance being required; but if for any reason it becomes necessary or be expedient to execute any further conveyance or assurance, the same shall be executed at the expense of the Company and may and shall be legally executed by the former trustee or trustees.

#### ARTICLE TWENTIETH.

##### RESPONSIBILITY OF TRUSTEE.

Nothing in the present deed shall be construed as obliging the Trustee to effect or maintain insurance against fire, nor shall it be responsible for any loss by reason of want or insufficiency of insurance.

The Trustee shall not be responsible or liable otherwise than as a trustee for any debts incurred by it, or for any damage to persons or property, or for salaries or non-fulfilment of contracts during any period wherein the Trustee shall manage the trust property or premises upon entry or voluntary surrender, as herein provided.

And the Trustee shall not be bound to see to the doing, observance or performance by the Company of any of the obligations hereby imposed on the Company, or in any way to supervise or interfere with the conduct of the Company's business unless and until the security hereby created has become enforceable, and the Trustee has determined or been required by the bondholders as herein provided, to enforce the same and is kept supplied with the moneys reasonably necessary to enable the Trustee to take the required action, and with sufficient bonds of indemnity to protect and save harmless the Trustee against loss or damage by reason thereof.

It is distinctly understood and agreed that the Trustee is not to be held liable for or by reason of any failure or defect of title to or for any encumbrance upon the Mortgaged Premises, or for or by reason of the statements of facts or recitals in this deed or in the bonds contained, or to be required to verify the same, but all such statements and recitals are and shall be deemed to have been made by the Company only; and it is hereby declared and agreed by and between the parties hereto, as a condition upon which the Trustee has entered into these presents and accepted the trusts hereby created, that nothing herein contained shall in any wise cast any obligation upon the Trustee to see to the registering or filing of or to make, register, file or renew this or any deed or writing by way of mortgage or otherwise from the Company, upon or of said



Mortgaged Premises or upon any portion thereof, or upon any other property of the Company in order to add to the security hereby intended to be given; nor shall it be the duty of the Trustee to register or record this deed as a mortgage or otherwise, or to procure any further, other or additional instrument of further assurance or to do any other act or thing for the continuance of the lien hereof or for giving notice of the existence of such lien or for extending or supplementing the same.

#### ARTICLE TWENTY-FIRST.

##### INDEMNITY TO TRUSTEE.

Without prejudice to the right of indemnity given by law to trustees, the Trustee and every receiver, attorney, manager, agent, accountant, inspector, clerk, servant, workman, or other person appointed by the Trustee hereunder, shall be entitled to be indemnified out of the Mortgaged Premises in respect of all liabilities and expenses incurred by it, them or him in the execution, or purported execution of the trusts hereof, or of any powers, authorities or discretions vested in it, them or him pursuant to these presents, and against all actions, proceedings, costs, claims and demands in respect of any matter or thing done or omitted in anywise relating to the premises, and the Trustee may retain and pay out of any money in its hands arising from the trusts of these presents the amount of any such moneys, and also the remuneration of the Trustee, as herein provided.

#### ARTICLE TWENTY-SECOND.

##### TITLES OF ARTICLES.

The titles given to the articles and the sections and subdivisions thereof are for convenience of reference only, and shall not affect the construction thereof.

#### ARTICLE TWENTY-THIRD.

##### ACCEPTANCE OF TRUST.

The Trustee hereby accepts the trusts in this deed declared and provided and agrees to perform the same upon the terms and conditions hereinbefore set out.

#### ARTICLE TWENTY-FOURTH.

##### INTERPRETATION.

Whenever in these presents the Company is referred to or mentioned, such reference or mention if the context will allow shall



shall extend to and include its successors and assigns respectively, and wherever in these presents the Trustee is referred to or mentioned, such reference or mention, if the context will allow, shall extend to and include the Trustee or Trustees for the time being of the trusts of these presents.

In witness whereof the said Cumberland Railway and Coal Company has caused its corporate seal to be hereunto affixed and these presents to be signed by the Hon. Sir George A. Drummond, K.C.M.G., its president, and by Huntly R. Drummond, its secretary, and the Royal Trust Company has caused its corporate seal to be affixed hereto and these presents to be signed by Henry Vincent Meredith, a member of the executive committee, and by Hugh Robertson, its manager.

[L.S.]  
C.R. & C. CO.

[L.S.]  
R.T. CO.

Witness:

A. Falconer.

{ Geo. A. Drummond,  
President.  
H. R. Drummond,  
Secretary.  
The Royal Trust Company,  
H. V. Meredith,  
Member Executive Committee.  
H. Robertson,  
Manager.

Province of Quebec, } On this thirteenth day of November  
City of Montreal. } A.D., 1907, personally came and appeared before me, Alexander Falconer, advocate, of the city of Montreal, and made oath that the Cumberland Railway and Coal Company and the Royal Trust Company executed the foregoing trust deed in his presence, the said Cumberland Railway and Coal Company having caused the same to be executed in his presence by the Hon. George A. Drummond, K.C.M.G., its president, and Huntly R. Drummond, its secretary, and the Royal Trust Company by Henry Vincent Meredith, a member of the executive committee, and by Hugh Robertson, its manager.

[L.S.]

W. De M. Marler,  
Notary Public.

#### SCHEDULE "A."

1. The railway from Spring Hill Junction to Parrsboro with all lands, rights of way, terminals, round houses, wharves, engines, cars, equipment stores, and the whole undertaking.

2. All the following lots, pieces or parcels of land now owned by the Company and situate at or near Springhill in the county

of Cumberland, said lands being described in the following deeds, namely:—

(a) The lands described in a deed from John R. Cowans (Robert John Cowans) to the Cumberland Coal and Railway Company, dated the 18th day of July, 1883, and recorded in the registry of deeds at Amherst in Book 8, page 630 *et seq.* The lands conveyed in and by said deed being described by metes and bounds or by reference to deeds containing a description of said lands by metes and bounds conveyed by previous deeds recorded in said registry of deeds in the books and at the pages set out in said deeds from John R. Cowans to the Cumberland Railway and Coal Company.

(b) The lands described in a deed from the said John R. Cowans to the said Cumberland Railway and Coal Company, dated the 30th day of January A.D., 1884, and recorded in the registry of deeds at Amherst in book 9, page 122, the lands conveyed in and by said deed being described by a reference to deeds containing a description by metes and bounds of lands conveyed by previous conveyances recorded in the said registry of deeds in books and at the pages set out in said deeds.

3. The following coal mining areas including leases, rights to leases not yet issued and licences to search.

No. of Lease.	Date.	Registered.	Location.
16-6	Aug. 25-1906	Book 2 23	1 sq. m. at Springhill.
17-7		24	
18-8		25	
19-44		26	
20-52		27	4 " " G.M.A.
21-55		28	3 " " " "
61a	Sept. 11-1889	89	1
62	Mar. 24-1890	91	1
71	June 28-1890	122	1 Salt Springs.
72		123	1 " "
73	Nov. 28-	125	1 " "
75		128	1
76	Jan. 28-1891	130	1
77	Nov. 5-1890	131	1
80	Sept. 12-1891	151	1
82	Nov. 26-1891	152	1
83	Dec. 29-1891	158	1
84	Jan. 13-1892	160	1
90	Dec. 2-1892	201	1
68	19-1889	218	1 Oxford.
66	Nov. 16-1890	219	1 " "
67	Dec. 19-1889	220	1 " "
69		221	1 " "
89	Nov. 4-1892	199	1 Springhill.
58	July 15-1889	81	1
59		82	1
60		83	1
94	Sept. 7-1893	215	1
108	July 20-1895	Book 3 47	1
110		49	1
111		50	1
112		51	1
114		53	1
115		54	1
117		56	1

No. of Lease.	Date.	Registered.	Location.
121		60	1 sq. m.
122		61	1
123		62	1
124		63	1
125 <sup>a</sup>		68	1 Oxford.
126		69	1
128		71	1
129		72	1
135	Apr. 25-1900	173	1 Maccan Mt.
137	July 5-1901	286	1 Oxford.
138	Feb. 7-1902	296	1 "
142	July 2-1903	Book 4 24	1 Springhill.
143		25	1
144		26	1
145		27	1
146		28	1
147		29	1
149		31	1
150		32	1
151		33	1
152		34	1
153		35	1
154		36	1
155		37	1
169		66	1
170		67	1
171		68	1 between Maccan and River Hebert.
177	July 2, 1904	196	1 " at Springhill.
178		197	1
179		201	1
180		202	1
181		203	1
182		204	1
183		205	1
184		206	1
185		207	1
186		208	1
187		209	1
188		210	1
189		211	1
190		212	1
191		213	1
192		214	1
193		215	1
194		216	1
196		225	1

## LEASES APPLIED FOR NOT YET ISSUED.

Date of Application.	Where Situated.	No. of Receipt for payment.
June 7, 1906..	At Springhill.....	647
2, 1905..	.....	636
28, .....	.....	790
Oct. 7, .....	.....	22
Oct. 13, .....	.....	36
20, .....	.....	56
20, .....	.....	56
Nov. 2, .....	.....	97
2, .....	.....	97
2, .....	.....	97
3, .....	.....	99
3, .....	.....	99
3, .....	.....	99
Jan. 23, 1906..	.....	325
23, .....	.....	325
Sept. 27 .....	.....	1,690
Dec. 4, .....	.....	180
28, .....	.....	224
Oct. 13, 1905..	.....	36
May 1, 1906..	.....	552
Aug. 26, 1907..	1 sq. m. at Athol out of license 206.....	1,495
Apr. 13, .....	1 sq. m. at Maccan River out of license 205.....	440
May 2, .....	1 sq. m. at Maccan River out of license 204.....	499
Apr. 20, .....	1 sq. m. at Southampton out of license 203.....	459
May 2, .....	1 sq. m. at Brown's Brook out of license 201.....	499
Apr. 8, .....	1 sq. m. at East Southampton out of license 200.....	416
May 2, .....	1 sq. m. at East Southampton out of license 100.....	499
2, .....	1 sq. m. at South Brook out of license 202.....	499
Apr. 20, .....	1 sq. m. at South Brook out of license 91.....	459
May 4, .....	1 sq. m. at Stanley out of license B.....	506
4, .....	1 sq. m. at Stanley out of license C.....	506
4, .....	1 sq. m. at Stanley out of license D.....	506
Aug. 11, .....	1 sq. m. at Rodney out of license A C.....	1,454
11, .....	1 sq. m. at Rodney out of license A B.....	1,454
July 22, 1907..	1 sq. m. at Springhill out of license 9.....	1,018
22, .....	1 sq. m. at Springhill out of license 11.....	1,018



## LICENSES TO SEARCH.

Date of License.	Location.	No. on Plan.
May 18, 1907..	Nappan.....	212
Oct. 28, 1906..	Salem.....	211
28, ..	Little Forks.....	210
June 8, 1906..	".....	209
Dec. 4, 1906..	Athol.....	208
Oct. 27, 1907..	".....	206
Dec. 4, 1906..	" 2nd right after Smith, <i>et al.</i> .....	207
Apr. 14, 1907..	".....	205
May 3, ..	Maccan River.....	204
Apr. 22, ..	Southampton.....	203
Dec. 29, 1906..	".....	100A
May 3, 1907..	".....	201
Apr. 8, 1907..	East Southampton.....	200
May 3, ..	Mapleton.....	100
Dec. 4, 1906..	".....	90
Apr. 22, 1907..	South Brook.....	91
May 3, ..	".....	202
5, ..	Stanley.....	B
5, ..	".....	C
5, ..	South of Stanley.....	D
Sept. 28, 1906..	Near Stanley.....	XF
May 2, 1906..	Black River.....	15
July 23, 1907..	Clearmont.....	11
23, ..	".....	9
Aug. 12, ..	Near Rodney.....	AC
12, ..	".....	AB
Feb. 15, ..	River Phillip.....	X
July 21, 1906..	Windham Hill.....	3X
21, ..	River Phillip Centre.....	XX
29, 1907..	River Phillip.....	2
16, ..	".....	7
Sept. 14, 1906..	Oxford Junction.....	1
July 29, 1907..	".....	4
Dec. 8, 1906..	Birchwood.....	A
Feb. 1, ..	".....	3

4. The tug *Springhill* and the barges numbers one to seven.

5. All the engines, boilers, fans, telephone systems, bank heads, cars, stores, mining equipment and the undertaking of the Company at Springhill as a going mining concern, and all the property of like nature that the Company may hereafter acquire in its business as coal owners and miners.

This is the schedule marked "A" referred to in the annexed deed of trust from the Cumberland Railway and Coal Company to the Royal Trust Company dated the thirteenth day of November, 1907.

A. Falconer.

{ Geo. A. Drummond.  
H. R. Drummond.  
H. V. Meredith.  
H. Robertson.

## SCHEDULE "B."

The property, real, personal and mixed, intended to be excepted by the Company in this conveyance to the Trustee is

(a) the leases, rights to leases now applied for, and licenses to search of coal mining areas in the County of Cape Breton.

(b) Lands at Spring Hill on which are erected "Company houses," and lands for building such houses in the future.

(c) Timber lands held in fee in the counties of Cumberland, Colchester and Cape Breton, and leases of timber lands from the Crown, and timber lands in fee or held under lease that may hereafter be acquired by the Company, save such as may be acquired by the sale or exchange, or from the proceeds of any of the Mortgaged Premises.

(d) All leases, licenses to search for coal, and mining areas that may hereafter be acquired in the County of Cape Breton, either by selecting leases out of existing licenses to search, or by purchase, or any lands, such leases, licenses or areas in the County of Cape Breton that may hereafter be acquired by the Company, save such as may be acquired by the sale or exchange or from the proceeds of any of the Mortgaged Premises, such excepted property being described as follows:—

## LEASES IN CAPE BRETON COUNTY.

141	Dec. 22, 1891..	Book 2 159	1 sq. m. at Cow Bay.
177	July 3, 1893..	265	1
118	15, 1889..	248	1
112		249	1
113		250	1
114		251	1
115		252	1
213	July 20, 1895..	3 64	1
283	Dec. 9, 1901..	281	1 " " Band Lake.
244	April 15, 1891..	119	1 Pt. Morien.

## LEASES APPLIED FOR NOT YET ISSUED IN CAPE BRETON COUNTY.

June 28, 1906	1 sq. m. at Schooner Pond.....	766
Feb. 14	1 " False Bay.....	379
June 10, 1907	1 Mira River, out of license 10.....	602
July 19, 1906	1 " 8.....	1,085
11	1 " 9.....	984
Feb. 3	1 " 12.....	358
3	1 " 11.....	358
Aug. 6, 1907	1 " 12.....	1,435
6	1 " 11.....	1,435

## LICENSES TO SEARCH IN CAPE BRETON COUNTY.

Date of License.	Location.	No. on Plan.
July 20, 1906..	Mira.....	8
12	" .....	8
June 11, 1907..	" .....	10

2. The following lots, pieces or parcels of land, situate at or near Spring Hill, on which the "Company houses" are erected or reserved for such houses.

All land owned by the Cumberland Railway and Coal Company bounded as follows: Beginning at the intersection of the west line of land owned by C. Mills with the north line of Main street, thence westerly along Main street to Lisgar street, thence northerly along Lisgar street to a point one hundred feet north of King street, thence easterly parallel with King street to a point three hundred feet west of the Junction road, thence northerly parallel with the Junction road to the Springhill town bounds, thence easterly to the intersection of the prolongation of the west line of land owned by Hon. C. H. Tupper with the north boundary of the town of Springhill, thence southerly by the said Tupper line and its prolongation to the southwest corner of the said land owned by C. H. Tupper, thence easterly by the south line of the Tupper land to the west line of C. Mills land, thence southerly by the west line of C. Mills land to the place of beginning.

Also all the land owned by the C. Ry. & C. Co. bounded as follows: Beginning at the intersection of the west line of McFarlane street with the south line of Main street, thence southerly along McFarlane street and its prolongation to the south boundary of the town of Springhill, thence westerly and northerly by the said boundary to the west boundary of said town, thence southerly and easterly by the Athol road and Main street to the place of beginning, to include a strip six hundred feet wide on the north side of the Athol road and Main street, and to extend easterly from the west boundary of the town to the west end of the stone dump, and also to include a strip on the southwest of the old Syndicate road (so called) three hundred feet wide, and to extend westerly and northerly from the Herritt road to the west boundary of the town of Springhill.

3. The lands held in fee by the Company and which may be described by the following list giving the names of grantors, the number of acres, the book and page of the registration, and the situation of the lands or the numbers and location of the grants from the Crown or from lessees from the Crown, as the case may be.

From	To	No. of acres.	Registered.		Situated.
			Book.	Page.	
J. W. Cove.....	C. R. & C. Co	50	46	536	River Philip.
" .....	"	100	46	538	"
Dan. Rogers.....	"	112	49	82	"
Newton Pugsley .....	"	113	98	662	Lynn.
" .....	"	1,183	98	663	" All one deed.
" .....	"	500	98	664	"
" .....	"	489	98	.....	"
Jos. Demings .....	"	100	44	175	River Philip.
C. O. Black and J. W. Chisholm.....	"	130	61	366	"
Thompson, <i>et al.</i> .....	"	75	41	354	Black River.
Wood, <i>et al.</i> .....	"				
Jno. and Mary Hyatt..	"	50	24	621	Black River.
T. R. Thompson and heirs.....	"	100	61	307	Black River.
T. R. Thompson, heirs	"	100	61	.....	Westchester.
Wilbert Thompson .....	"	55	45	632	Salt Springs.
" .....	"	84	45	632	"
Thompson, <i>et al.</i> .....	"	300	107	68	Mapleton.
R. M. Crowe.....	"	225	96	208	"
Jos. Lodge.....	"	100	96	420	"
Jno. McCarthy.....	"	100	34	208	Maccan Mountain.
C. Carter.....	"	132	53	69	River Philip.
Chisholm, Lowther and Ripley.....	"	357	40	136	Athol.
" .....	"	900	40	136	"
" .....	"	100	40	136	"
Thos. H. Smith.....	"	110	46	246	"
M. A. Logan (Sheriff)...	"	500	53	652	Leamington.
G. R. Harrison.....	"	75	62	171	Southampton.
D. M. Hannah, <i>et al.</i> ...	"	125	66	72	"
Thos. Brown.....	"	500	34	398	"
" .....	"	100	35	156	"
" .....	"	55	35	156	"
Wm. T. Hayden.....	"	50	35	549	"
Dd. Rector.....	"	75	39	1	Mapleton.
Ella Rector.....	"	50	39	2	"
" .....	"	81	39	2	"
D. L. Hannah.....	"	100	41	42	Southampton.
Jos. E. D. Brown .....	"	100	35	154	"
" .....	"	100	35	154	"
Robt. Rector.....	"	100	55	152	"
M. L. Tucker, <i>et al.</i> ....	"	100	60	72	Athol.
Black, <i>et ux.</i> .....	"	100	42	80	"
J. R. Lamy.....	"	100	60	9	Southampton.
J. Lodge, <i>et ux.</i> .....	"	100	45	268	"
Amos Eaton.....	"	100	44	309	Black River.
" .....	"	100	44	309	"
" .....	"	100	44	309	"
" .....	"	195	44	309	"
" .....	"	100	44	309	"
" .....	"	100	44	309	"
" .....	"	480	44	309	"
" .....	"	100	44	309	"
C. Hanson.....	"	60	68	141	Springhill Jct.
A. Mills.....	"	100	47	617	"
E. J. Longard.....	"	630	47	190	"
Wm. A. Hendry .....	"	640	47	149	"
" .....	"	612	47	149	"
Chas. E. Starr.....	"	1,040	44	514	"
Assignee estate W. My- ers Gray.....	"	640	YY	331	"
Hy. Hunter.....	"	220	65	437	Wallace River.
" .....	"	100	65	437	"
A. E. Moore.....	"	100	64	614	Westchester.
" .....	"	100	64	614	"
Jno. H. Brown.....	"	100	65	435	Wallace River.



From	To	No. of acres.	Registered.		Situated.
			Book.	Page.	
Robt. Cummings .....	C. R. & C. Co	110	65	451	Westchester.
C. & W. Bragg .....	"	840	49	188	"
Hy. Hunter .....	"	200	60	617	"
J. H. Brown .....	"	260	50	241	"
Lucy Purdy .....	"	490	57	466	"
Alex. Wilson .....	"	500	44	220	"
C. B. Hewson .....	"	450	47	110	"
Stewart A. Purdy .....	"	480	79	158	"
C. Weatherby .....	"	285	80	52	"
" .....	"	184	80	52	"
W. Hendry .....	"	500	34	432	Black River.
Jno. O. Moose .....	"	87	76	115	"
M. A. Logan (Sheriff) ..	"	350	75	456	"
Annie McDiarmid .....	"	100	67	458	West Branch Wallace R.
Jno. H. Brown .....	"	1,600	62	188	Greenville.
Mrs. Brundage .....	"	100	66	409	Springhill.
W. A. D. Morse .....	"	150	46	356	Springhill Jct.
" .....	"	250	46	356	"
Jas. Canfield .....	"	462	44	313	Birch Hill.
C. R. Smith .....	"	231	44	274	"
R. Pickford .....	"	640	43	610	Springhill Jct.
H. Sweet .....	"	300	43	309	Westchester.
" .....	"	238	43	345	"
J. W. Chisholm .....	"	396	40	488	"
E. H. Brown .....	"	75	73	358	Mapleton.
Sarah A. Lawrence, et al	"	200	72	26	Westworth.
J. B. McLean .....	"	200	71	230	"
H. H. Fuller (heirs) ...	"	100	83	242	Greenville.
Sarah J. Robertson .....	"	250	78	341	Wallace.
H. A. Purdy .....	"	63	80	430	Wentworth.
T. S. Rogers .....	"	45	80	431	"
" .....	"	200	80	431	"
D. F. Archibald .....	"	166	45	87	Athol.

## GRANTS FROM THE CROWN.

No. of grant.	Registered.		Granted to.	Date.	No. of acres.	Situated.
	Book.	Page.				
17274	E	96	C. R. & C. Co.	May 5, '92....	865	Athol.
17273	E	97	"	" 5, 02....	130	Southampton.
17272	E	98	"	" 5, 02....	100	"
17271	E	95	"	" 5, 92....	100	"
17270	E	94	"	" 5, 92....	265	"
17643	E	118	"	June 1, 93....	668	Athol.
17966	E	140	"	Sept. 10, 94....	292	"
17644	E	119	"	June 1, 93....	695	"
17747	E	130	"	Dec. 20, 93....	1,308	"
17642	E	120	"	June 1, 93....	83	Springhill Jct.
17641	E	117	"	" 1, 93....	267	"
20513	E	40	"	Dec. 3, 04....	220	"
17555	E	109	"	" 31, 92....	160	Claremont.
18238	E	155	"	May 23, 95....	306	River Philip.
18239	E	156	"	" 23, 95....	77	"
18237	E	153	"	" 23, 95....	566	"
18241	E	158	"	" 23, 95....	308	"
18236	C	222	"	" 23, 95....	275	" Col. Co.
18240	E	157	"	" 23, 95....	40	"
18575	D	170	"	Sept. 16, 96....	100	"
17964	E	139	"	" 10, 94....	435	"
17965	E	141	"	" 10, 94....	675	"
18977	E	198	"	Mch. 10, 98....	78	"
18319	E	160	"	Sept. 4, 95....	93	Farmington.
18320	E	161	"	" 4, 95....	220	"
18318	E	159	"	" 4, 95....	1,056	"
18317	C	223	"	" 4, 95....	66	" Col. Co.
18326	E	162	"	" 4, 95....	222	Westchester.
18612	E	176	"	" 16, 96....	203	Oxford.
18613	E	175	"	" 16, 96....	172	"
18574	D	169	"	" 16, 96....	84	"
18611	E	174	"	" 16, 96....	118	"
17682	E	127	"	" 1, 93....	200	Oxford.
18321	2	339	"	" 4, 95....	78	Sand River.
18322	2	241	"	" 4, 95....	470	"
18323	2	243	"	" 4, 95....	880	"
18324	2	245	"	" 4, 95....	68	"
18325	2	247	"	" 4, 95....	355	"
20266	E	26	"	Aug. 26, 03....	117	"

NOTE.—Grants Nos. 18321, 18322, 18323, 18324, and 18325 are recorded in the Registry of deeds at Parrsboro, and grants 18236 and 18317 are recorded in the Registry of deeds at Truro, Cape Breton County.

17990	E	159	"	Sept. 10, 1894....	525	Cape Breton.
17991	E	160	"	" 10, 1894....	475	"

LEASES FROM THE CROWN.

No. of lease.	Book.	Page.	Lease to.	Date.	Situated.	No. of acres.
462	1	7	I. H. Mathers..	Sept. 10, '04....	Wentworth.....	130
463	1	8	" ..	" 10, 04....	Henderson Set- tlement.....	679
464	1	9	" ..	" 10, 04....	Wentworth. ...	590
465	1	10	" ..	" 10, 04....	" ..	295
466	1	11	" ..	" 10, 04....	Henderson Set- tlement. ....	298
467	1	12	" ..	" 10, 04....	" ..	108
468	1	13	" ..	" 10, 04....	" ..	34
469	1	14	" ..	" 10, 04....	Wentworth. ...	100
470	1	15	" ..	" 10, 04....	Swallow Road.	810
328	1	1	C. Ry. & C. Co.	Nov. 17, 02....	Black River....	310
325	1	2	" ..	" 17, 02....	" ..	358
327	1	5	" ..	" 17, 02....	" ..	875
330	1	3	" ..	" 20, 02....	Thompson.....	1,067
326	1	4	" ..	" 17, 02....	Greenville.....	246
329	1	6	" ..	" 17, 02....	Thompson.....	1,225

This is the schedule marked "B," referred to in the annexed deed of trust from the Cumberland Railway and Coal Company to the Royal Trust Company, dated the thirteenth day of November, 1907.

A. Falconer.

{

Geo. A. Drummond.  
H. R. Drummond.  
H. V. Meredith.  
H. Robertson.

}

SCHEDULE "C."

THE CUMBERLAND RAILWAY AND COAL COMPANY.

Dominion of Canada.  
Province of Quebec.

\$1,000.

No.

The Cumberland Railway and Coal Company (incorporated by the Act 46 Victoria, Canada, chapter 77, as amended by the Act 47 Victoria, Canada, chapter 77), hereinafter called "the Company," for value received, will, on the first day of October, nineteen hundred and thirty-seven, unless this bond be sooner redeemed as herein provided, pay to the bearer, or, if registered, to the registered holder hereof, on presentation and surrender hereof, one thousand dollars in gold of or equal to the present standard of weight and fineness, and until actual payment will pay interest thereon at the rate of six per centum per annum in like gold coin, half-yearly, on the first days of April and October in each year, on surrender of the proper coupon annexed hereto.

This bond is one of a series of fifteen hundred bonds, numbered from 01 to 1,500 inclusive, the total amount at any one time not to exceed in the aggregate the sum of one million five hundred thousand dollars, all of like tenor and date, issued with the sanction of the shareholders of the Company, given at a special general meeting duly called and held for the purpose on the 26th day of September, 1907, all of which bonds are equally entitled to the benefit of and subject to the provisions contained in a trust mortgage, dated the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 1907, by which the Company conveys to the Royal Trust Company, as Trustee, all the real and personal property, rights and privileges now owned or hereafter to be acquired by the Company subject to the exceptions and restrictions in the said trust mortgage contained.

This bond shall pass by delivery unless registered, and if registered by transfer upon the books of the Company by the registered holder in person or by attorney.

Payment of principal and interest will be made at the office of the Royal Trust Company in the city of Montreal.

This bond may be redeemed by the Company at any time at a premium of five per centum on its nominal value, the redemption to be made in accordance with the provisions of the trust deed hereinbefore referred to, and in the event of its becoming payable before maturity by reason of the Company's going into voluntary liquidation, the same premium will be payable.

This bond shall not be valid or obligatory unless and until certified by the said Trustee.

In witness whereof the Company has caused its corporate seal to be hereto affixed, and these presents to be signed by its vice-president and countersigned by its secretary, this \_\_\_\_\_ day of \_\_\_\_\_, nineteen hundred and seven, and the annexed interest coupons to be signed with the engraved signature of its secretary.

"The Cumberland Railway and Coal Company."

[L.S.]

By

.....  
Vice-president.  
.....  
Secretary.

*Form of Coupon.*

\$ \_\_\_\_\_ Coupon No. \_\_\_\_\_  
On the \_\_\_\_\_ day of \_\_\_\_\_, nineteen hundred and \_\_\_\_\_, the Cumberland Railway and Coal Company will pay to the bearer on presentation hereof, at the office of the Royal Trust Company, Montreal, the sum of thirty dollars in gold, being half-yearly interest due on bond No. \_\_\_\_\_.

.....  
Secretary  
Trustee's



*Trustee's Certificate.*

The Royal Trust Company hereby certifies that this bond is one of the series of bonds referred to in the trust mortgage within mentioned.

The Royal Trust Company, Trustee.

.....

For the Manager.

This is the schedule marked "C," referred to in the annexed deed of trust from the Cumberland Railway and Coal Company to the Royal Trust Company, dated the thirteenth day of November, 1907.

A. Falconer.

{ Geo. A. Drummond.  
H. R. Drummond.  
H. V. Meredith.  
H. Robertson.

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OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 101.

#### An Act respecting the Dominion Atlantic Railway Company.

[Assented to 3rd April, 1908.]

**W**HEREAS the Dominion Atlantic Railway Company has Preamble.  
by its petition prayed that it be enacted as hereinafter  
set forth, and it is expedient to grant the prayer of the said  
petition: Therefore His Majesty, by and with the advice and  
consent of the Senate and House of Commons of Canada, enacts  
as follows:—

**1.** The Dominion Atlantic Railway Company, hereinafter Line of railway authorized.  
called “the Company,” may lay out, construct and operate a  
railway of the gauge of four feet eight and one-half inches, com-  
mencing at a point on the Company’s railway, formerly known  
as the Cornwallis Valley Railway, between Kentville and Can-  
ning, thence running westerly and terminating at a point on  
the Company’s railway between Berwick and Middleton, in  
the province of Nova Scotia.

**2.** Unless the Company commences within two years, and Time for construction limited.  
completes and puts in operation within five years, after the  
passing of this Act, the railway which the Company is hereby  
authorized to construct, the powers hereby granted for con-  
struction shall cease with respect to so much of the said railway  
as then remains uncompleted.

**3.** The railway described in section 1 of this Act shall be “North Mountain Division.”  
designated and known as the North Mountain Division of the  
Dominion Atlantic Railway.

**4.** The Company may issue securities upon the said North Issue of securities limited.  
Mountain Division for an amount not exceeding five thousand  
pounds sterling per mile of the said division, constructed or  
under contract to be constructed.

1900, c. 59, s. 15 repealed. **5.** Section 15 of chapter 59 of the statutes of 1900, giving certain powers to the Company to become a party to promissory notes and bills of exchange, shall no longer apply to the Company, but the Company shall hereafter have the same powers as to becoming a party to or making or issuing promissory notes and bills of exchange and other commercial securities, as are conferred by *The Railway Act*, and the said section 15 is hereby repealed.

Power to make notes and bills.

R.S., c. 37.

1900, c. 59, s. 10 repealed. **6.** Section 10 of chapter 59 of the statutes of 1900 is repealed.

Number of directors. **7.** Subject to the provisions of *The Railway Act*, the number of directors shall be three, unless and until such number is increased as herein provided; and, subject as aforesaid, the Company may, from time to time, by by-law, increase the number of directors to any number not exceeding five, or diminish the number of directors to any number not less than three.

May be increased or diminished.

Term of office. **8.** The said directors, one or more of whom may be paid directors, may hold office for three years, one or more of such directors retiring from the board in each year by rotation in manner to be prescribed by by-law of the Company.

Annual meeting. **9.** The first annual meeting of the shareholders, after the thirty-first day of March, one thousand nine hundred and seven, shall be held on the second Friday in October, one thousand nine hundred and nine, and thereafter the annual meeting of the shareholders shall be held on the second Friday in October.

Contributions to employees' sick and benefit fund. **10.** For the purpose of providing for contributions to the sick and benefit fund of its employees, the Company may, from time to time, contribute to the said fund out of the gross earnings of the Company, such amounts as the directors determine.

Chargeable to working expenditure. **2.** Any sums contributed to the said fund by the Company shall be considered as forming part of the working expenditure of the Company.

By-laws for management of fund. **3.** The directors may make and adopt all such rules, by-laws and regulations, not inconsistent with law, as they deem proper and necessary for the due and efficient management, administration and disposition of the said fund.





## 7-8 EDWARD VII.

### CHAP. 102.

#### An Act respecting the Dominion Guarantee Company, Limited.

[Assented to 20th July, 1908.]

**W**HEREAS the Dominion Guarantee Company, Limited, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 11 of chapter 78 of the statutes of 1893 is hereby amended by substituting, in the second line thereof, for the words "in Canada" the words "of Canada."

Preamble.

1893, c. 78;  
1894, c. 121;  
1901, c. 95;  
1903, c. 113.

1893, c. 78  
s.11 amended.  
Investment  
of funds.

**2.** If the mortgage or hypothecation of any real property lawfully acquired or held by the Company is necessary or requisite for the carrying on of any of the undertakings of the Company, the Company may mortgage or hypothecate such property.

Power to  
mortgage  
property.

**3.** If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

Borrowing  
powers.

- (a) borrow money upon the credit of the Company;
- (b) limit or increase the amount to be borrowed;
- (c) issue bonds, debentures or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient;
- (d) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures or other securities and any money borrowed for the purposes of the Company.

Borrowing.  
Amount.  
Bonds, etc.

Mortgages.

Bills and  
notes.

2. Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

1894, c. 121  
s. 1 amended.

4. Paragraph (a) of section 1 of chapter 121 of the statutes of 1894 is hereby repealed and the following paragraph substituted therefor:—

Powers for  
protection  
of property.

“(a) At any places in Canada where the Company sees fit so to do, for the purpose of protecting property against fire and burglary,—

Alarm  
system.

“(i) construct, install, equip, maintain, and operate by electrical or any other means, whether inside or outside of buildings, any system of detection, alarm or communication, by electric wires or otherwise;

Patrol  
service.

“(ii) establish, equip, maintain and operate services of patrol and watch by persons wearing either uniform or ordinary clothing;

Manufacture  
of plant, etc.

“(iii) manufacture, acquire, and dispose of all plant, equipment, implements, instruments, articles, devices and things necessary or expedient for such systems and services.”

Agreement  
confirmed.

5. The agreement entered into by the Company with the Gresham Life Assurance Company of London, England, as set forth in the schedule of this Act, is hereby ratified and confirmed.

## SCHEDULE.

Before Mtre. Herbert Meredith Marler, the undersigned Public Notary for the province of Quebec, residing and practising at the city of Montreal, appeared the Gresham Life Assurance Society of London, England, a body politic and corporate, duly incorporated and having its chief place of business at the city of London, in England, herein acting by William Hanson, of the city of Montreal, financial agent, its duly authorized representative, the said Gresham Life Assurance Society of London, England, being hereinafter called “the Lender,” of the one part.

And The Dominion Guarantee Company, Limited, a body politic and corporate, duly incorporated and having its chief place of business at the city of Montreal, herein acting by Frederick W. Evans, of the town of Westmount, the president the said Company, and by William John Kirby of the same place, the secretary thereof, both hereunto duly authorized in virtue of a resolution passed at a meeting of the shareholders of the Company held on the twentieth day of April, nineteen hundred and six, whereof a copy certified true is hereunto annexed after being signed for identification by the parties hereto in the pre-

sence of the said notary, the said Dominion Guarantee Company, Limited, being hereinafter called "the Borrower," of the other part,

Who declared unto the said notary:—

That whereas the said Dominion Guarantee Company, Limited, formerly the Dominion Burglary Guarantee Company, Limited, was incorporated by Act of the Parliament of Canada under chapter LXXVIII. of the Statutes of 1893, and amendments thereto.

And whereas the subscribed capital stock of the said Company is two hundred thousand dollars, divided into two thousand shares of one hundred dollars each.

And whereas at a special general meeting of the shareholders of the said Company duly called and held on the twentieth day of April last, 1906, at which meeting there were present or represented by proxy shareholders representing more than two-thirds of the subscribed capital stock of the Company, a by-law was passed whereby the directors of the Company were authorized to borrow a sum not exceeding fifty-five thousand dollars for such time and at such rate of interest as they might determine, and as security therefor to hypothecate in favour of the person or persons lending the money the immovable property of the Company situated at the south-east corner of St. James street and St. Michael's lane, in the city of Montreal, known as part of lot nine hundred and five on the official plan and book of reference of the St. Antoine ward of the city of Montreal, with the buildings thereon erected. And the president and secretary of the Company were authorized and empowered to sign and execute the deed of loan on behalf of the Company.

As the whole will appear upon reference to a copy of . . . . . said by-law which is hereunto annexed, marked "A" signed *ne varietur* by the parties hereto in the presence of the said notary.

And whereas the present deed is given for the purpose of securing the said loan and conforms in all respects to the draft submitted to the meeting:

Now, therefore, these presents and I, the said notary, witness and the parties have agreed as follows:—

The Lender hath this day loaned to the Borrower the sum of fifty thousand dollars which it acknowledges to have received.

The Borrower obliges itself to repay the Lender the said sum of fifty thousand dollars on the first day of May, nineteen hundred and twelve, but not before that date, without the express consent in writing of the Lender.

And until actual repayment of the said sum of fifty thousand dollars the Borrower obliges itself to pay the Lender interest thereon at the rate of four and one-half per centum per annum, to be computed from this date and payable half yearly, on the first day of November and May in each year, whereof the first payment for the period from this date will become due on



the first day of November next. With interest on all over-due interest at the same rate.

The additional clauses and conditions annexed to these presents after being signed by the parties hereto in the presence of said notary, shall be held to form part hereof, and shall be as binding upon the parties as if the same had been herein inserted at full length.

#### HYPOTHEC.

To secure the repayment of the said sum of fifty thousand dollars and interest the Borrower hereby hypothecates in favour of the Lender to the extent of the said sum of fifty thousand dollars and interest the following property which it declares to belong absolutely to it and be free and clear of all encumbrances:—

A lot of land fronting on St. James street in the city of Montreal, forming part of the lot known and designated as lot number nine hundred and five (905) on the official plan and book of reference of the St. Antoine ward of the city of Montreal, containing thirty-eight feet six inches in width in front, thirty-seven feet one inch in rear, by a depth of seventy-five feet three inches, in the north-east side line and eighty feet eleven inches in the south-west side line, and a superficial area of two thousand nine hundred and thirty-seven square feet, English measure, and more or less, without warranty as to precise measurement. Bounded in front by St. James street, in rear by a covered passage forming part of the said lot number nine hundred and five, giving access to official lot number nine hundred and six (906), and on the north-east side by the said official lot number nine hundred and six (906), and on the south-west side by St. Michael lane. With the buildings thereon erected the north-east gable wall whereof is mitoyen with the adjoining premises.

With all the Borrower's rights in the piece of land forming the residue of the said lot number nine hundred and five, measuring about nine feet, French measure, in width, which was set apart as a passage for the exclusive use of the said lot number nine hundred and six, the Borrower having the right to build over the same as set forth in the deed of sale from Dame Marguerite Viger to Eliza Margaret Easton, executed before Z. J. Truteau and colleague notaries, on the fourteenth of March, eighteen hundred and thirty-two, but without any warranty on the part of the Borrower in respect of such rights. *Procès Verbal* showing the division line between the said lot and the said official lot number nine hundred and six, made by W. McLea Walbank and J. E. Vanier, land surveyors, with a plan of said property bearing date the eighth day of October, eighteen hundred and ninety, is annexed to the deed of sale from David S. Leach *et al.* to Samuel Hamilton Ewing and Andrew



Stuart Ewing before John Fair, notary, on the seventeenth of October, eighteen hundred and ninety.

In the event of the said property or any part thereof being sold at forced sale before the complete reimbursement of this loan, or dealt with in any way which will require the Lender to receive its claim judicially, the Lender will be entitled to receive, and the Borrower now obliges itself to pay an indemnity of five per cent upon and in addition to the amount of the loan then due in principal, interest and accessories.

And to secure the payment to the Lender of the indemnity above stipulated, interest on all overdue interest at the same rate, and any insurance premiums, registration fees, or other sums which may be expended by the Lender by reason of this loan, or to preserve the hypothec hereby created and for the fulfilment of all the conditions of the loan, the Borrower specially hypothecates the said property in favour of the Lender for the further sum of five thousand dollars.

#### DECLARATION OF THE BORROWER.

The Borrower makes the following declarations which are stipulated as essential to this loan and which it covenants to be true in all respects:

1. That the said property belongs absolutely to it and is free and clear of all encumbrances.

2. That it will as soon as possible obtain such legislation as will in the opinion of the solicitor of the Lender ratify the present deed of loan, or enable the Company to execute on demand as it hereby agrees to execute on demand, all such further instruments as in the opinion of the Lender may be requisite or necessary to more fully secure the present loan.

And hereto intervened Frederick W. Evans, of the town of Westmount, insurance agent, Benjamin Tooke, manufacturer, Herbert B. Ames, member of the Dominion Parliament, George G. Foster, advocate and King's Counsel, Joseph M. Fortier, manufacturer, William Hanson, financial agent, and Frederick W. Fairman, financial agent, the last six all of the city of Montreal, who having taken communication of this deed, declared themselves therewith content and voluntarily bound and obliged themselves as sureties for and with the Borrower, for the repayment of the said loan, the interest thereon and fulfilment of all the terms and conditions herein expressed, renouncing the benefits of division and discussion and obliging themselves to make of the whole their own personal affair in case of any default on the part of the Borrower.

The Lender agrees as soon as the Company is authorized to execute such further instruments as in the opinion of the Lender's solicitor are sufficient to ratify the present deed or to enable the Company to execute such further deed as may be required to legally secure the present loan and the hypothec granted to

secure the same, that it will then release the said intervening parties from their obligations hereunder.

Whereof, Acte.:

Executed at the city of Montreal this thirteenth day of April, nineteen hundred and seven, and of record in the office of the undersigned notary under the number seven thousand four hundred and seven, and after due reading hereof the parties signed in the presence of the said notary.

(Signed) THE GRESHAM LIFE ASSURANCE SOCIETY OF  
LONDON, ENGLAND, by William Hanson.  
FRED. W. EVANS, President.  
W. J. KIRBY, Secretary.  
FRED. W. EVANS.  
WILLIAM HANSON.  
H. B. AMES.  
B. TOOKE.  
J. M. FORTIER.  
F. W. FAIRMAN.  
GEO. G. FOSTER.  
H. M. MARLER, N.P.

A true copy of the original hereof remaining of record in my office. One marginal note good.

H. M. MARLER, N.P.

ADDITIONAL CLAUSES AND CONDITIONS subject to which the foregoing deed of loan executed before Mtre.-Herbert M. Marler, the undersigned Public Notary, and bearing date the thirteenth day of April, nineteen hundred and seven, from the Gresham Life Assurance Society of London, England, (hereinafter styled the Lender) to the Dominion Guarantee Company, Limited, (hereinafter styled the Borrower) has been made and which are to form part of said deed as fully as if the same had been therein inserted in full length:—

1. The payments of capital and interest shall be made at the office in the city of Montreal, of the Bank of Montreal.

2. The Borrower will pay all municipal taxes on the property described in said Deed of Loan, and exhibit the receipts therefor to the Lender before the first of November next ensuing after the same became due.

3. In case of default on the part of the Borrower to pay any interest payment within fifteen days after maturity; or to pay taxes and exhibit the receipts therefor, as above stipulated; or to keep in force the insurance hereinafter agreed on; or should the Borrower permit to be registered against said property any memorial which might give rise to a lien for work done or materials furnished; the Lender may if it choose, exact the amount of this Loan, with all interest then accrued; and this without any demand or notice being necessary.

4. The Borrower will, at its cost, furnish the Lender with a registered copy of any deed or mutation of the property described in said deed within thirty days after execution thereof.

5. The Borrower will pay all fees, legal and notarial, in respect of this loan, and all registration fees, and for the renewal of such registration when necessary, and the notice of address.

6. The Borrower will insure and keep insured against Loss by Fire with an Insurance Company approved of by the Lender, the buildings erected on the property described in said deed for an amount equal to the sum loaned, and will transfer to the Lender the policy of such insurance and the indemnity which may become due thereunder, and deliver to the Lender the receipts for the renewal of such insurance as they mature, the whole as additional security for the said Loan and until repayment thereof; and should the Borrower fail to comply with this agreement in any respect, the Lender will have the right to insure at the cost of the Borrower.

7. In the event of any tax being imposed by legislative or municipal authority upon hypothecary debts, or the income therefrom, the Borrower binds and obliges itself, to pay such tax in order that the Lender may receive the amount of this Loan and the interest thereon without deduction or abatement of any kind.

8. All quittances and other instruments to which the Lender may be required to become a party shall be executed before the Notary of the Lender and at the Borrower's expense.

(Signed)

WILLIAM HANSON for the Gresham Life Assurance Society.

WILLIAM HANSON.

H. B. AMES.

B. TOOKE.

FRED. W. EVANS, President.

W. J. KIRBY, Secretary.

F. W. EVANS.

J. M. FORTIER.

GEORGE G. FOSTER.

F. W. FAIRMAN.

H. M. MARLER, N.P.

A true copy. H. M. MARLER, N.P.

REGISTRY OFFICE FOR THE REGISTRATION DIVISION OF  
MONTREAL WEST.

I certify that this document was entered and registered at full length in the Registry Office for the Registration Division of Montreal West, in Reg. B, 253, page 216, at eleven o'clock



in the forenoon, of the seventeenth day of April, nineteen hundred and seven, under the number one hundred and forty-three thousand eight hundred and seventy-nine.

W. WATTS,  
*Registrar.*

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 103.

#### An Act respecting the Eastern Trust Company.

[Assented to 16th June, 1908.]

**WHEREAS** the Eastern Trust Company has by its petition Preamble.  
prayed that it be enacted as hereinafter set forth, and  
it is expedient to grant the prayer of the said petition: There- 1893, c. 84;  
1899, c. 110.  
fore His Majesty, by and with the advice and consent of the  
Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 8 of chapter 84 of the statutes of 1893 is amended 1893, c. 84,  
s. 8 amended.  
by substituting for the word “three” in the second line thereof  
the word “five.” Holdings of  
real estate.

**2.** Section 11 of the said Act is amended by substituting 1893, c. 84,  
s. 11  
amended.  
for the word “eighteen” in the third line thereof the word  
“twenty-six.” Board of  
directors.

**3.** The Company may construct or lease, and may maintain Storage  
and safe  
deposit of  
property.  
and operate, suitable buildings and structures for the reception  
and storage of personal property of every kind and nature,  
and may act as agents, consignees and bailees thereof, and  
may take all kinds of personal property for deposit and sale-  
keeping on such terms as may be agreed upon.

**4.** The directors from time to time may, by by-law, appoint Executive  
committee.  
an executive committee consisting of the president, vice-  
presidents, and not less than four other members of the board of  
directors, with such powers as the board may designate.

**5.** The directors from time to time may, by by-law, appoint New  
Brunswick  
Board.  
a committee to be called “The New Brunswick Board,” to con-  
sist of the vice-president at St. John, in the province of New

Brunswick, and of not less than two nor more than four other members of the board of directors, with such powers as the board may designate.

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most Excellent Majesty.



## 7-8 EDWARD VII.

### CHAP. 104.

#### An Act respecting the Edmonton, Dunvegan and British Columbia Railway Company.

[Assented to 17th March, 1908.]

**W**HEREAS the Edmonton, Dunvegan and British Columbia Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1907, c. 85.

**1.** The Edmonton, Dunvegan and British Columbia Railway Company, hereinafter called "the Company," may, for the purpose of its undertaking, construct and operate such steam and other ferries, boats and vessels as the Company deems requisite for the carriage of passengers, freight and other traffic in connection with its railway, and may enter into agreements with the owners of such vessels for any of such purposes.

Powers of Company.  
Vessels.

**2.** The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers; and may, subject to the said Act, connect its own lines with the lines of, or lease its own lines to, any such companies.

Telegraph and telephone lines.

**2.** No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time.

Rates to be approved.

**3.** Part II. of *The Telegraphs Act* shall apply to the telegraphic business of the Company.

R.S., c. 126.

Lands, water  
powers,  
electricity,  
etc.

**3.** The Company may, for the purposes of its undertaking, acquire, by purchase or otherwise, and utilize and develop lands, water powers, easements and privileges in the vicinity of its railway, and may construct, maintain and operate dams, reservoirs, buildings and works, including transmission lines, for the generation, transmission and distribution of electricity for light, heat, power or any other purpose in connection with its railway, vessels and other properties and works, and for the purpose of supplying water for the use of its railway, vessels and other properties and works; and may supply, sell or otherwise dispose of any surplus water, electric or other power or electricity so developed or generated, and not required for the purpose of the Company.

Provincial  
laws.

2. Nothing in this section shall exempt the Company from complying with the provisions of any Act now or hereafter passed by the Legislature of the province of British Columbia or of the Legislature of the province of Alberta and applicable to the Company, with respect to the supply, sale or other disposition of any surplus water, electric or other power, or electricity developed or generated and not required for the purposes of the Company.

Telegraphs  
and  
telephones in  
municipali-  
ties.

**4.** Nothing in this Act shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed with such municipality.

Lumbering  
and mining.

**5.** The Company may lease or otherwise acquire timber berths, timber licenses, mineral lands and mining rights, and carry on the business of lumberers, timber merchants and manufacturers of timber and lumber in all its branches, and all other business incident thereto or connected therewith; and work, develop, operate and turn to account all mineral lands and mining rights held by the Company.

Issue of  
securities  
for other  
purposes.

**6.** The Company may, from time to time, issue bonds, debentures, perpetual or terminal debenture stock or other securities for the construction, acquisition, extension, or development of any of the properties, assets or works, other than the railway, which the Company is authorized to construct, acquire or operate; but such bonds, debentures, perpetual or terminal debenture stock or other securities shall not exceed in amount the value of such properties, assets and works.



2. For the purpose of securing the issue of such bonds, debentures, debenture stock or other securities the Company may execute mortgages upon such property, assets, rents and revenues of the Company, present or future, other than the railway, as is described therein.

Execution of mortgages.

3. All the provisions of sections 136 to 148, both inclusive, of *The Railway Act* shall, so far as they are applicable, apply to such bonds, debentures, debenture stock or other securities or mortgages.

R.S., c. 37 to apply.

7. The Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

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## 7-8 EDWARD VII.

### CHAP. 105.

#### An Act respecting the Edmonton, Yukon and Pacific Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Edmonton, Yukon and Pacific Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1896 (1st Sess.), c. 17;  
1898, c. 63;  
1899, c. 64;  
1901, c. 57;  
1903, c. 116;  
1905, c. 88.

**1.** This Act may be cited as *The Edmonton, Yukon and Pacific Railway Act, 1908*.

Short title.

**2.** The Edmonton, Yukon and Pacific Railway Company, hereinafter called "the Company," may construct and operate a branch line from a point on its authorized line, by the most feasible route to Vancouver, and may also construct and operate a branch line or lines from a point or points on its authorized line to the headwaters of the Macleod and Brazeau rivers, and unless the Company commences within two years and completes and puts in operation within five years after the passing of this Act the lines of railway which the Company is hereby authorized to construct, the powers granted for such construction shall cease and be null and void as respects so much of the said lines as then remains uncompleted.

Lines of railway authorized.

Time for construction limited.

**3.** Unless the Company completes and puts in operation within five years after the passing of this Act the railway which it is authorized by section 1 of chapter 64 of the statutes of 1899 to construct from a point on its authorized line either to the Yellow Head Pass or to the Peace River Pass, and thence by such route as is found or deemed most practicable to a port in the province of British Columbia, or to connect

Extension of time for construction of railway authorized by 1899, c. 64, s. 1.

with the line of railway which the British Pacific Railway Company was authorized to construct, then the powers granted for such construction shall cease and be null and void as respects so much of the said line as then remains uncompleted.

Issue of  
bonds and  
securities  
increased.

4. In respect of so much of the Company's line as is constructed east of the foot hills of the Rocky Mountains, the issue of bonds, debentures or other securities may be increased to the sum of twenty-five thousand dollars per mile, and on other portions of the Company's line to the sum of thirty-five thousand dollars per mile.

Location of  
easterly limit  
of foothills.

5. For the purposes of the next preceding section, the easterly limit of the foot hills of the Rocky Mountains shall be established after the location of the line, and after actual surveys have determined the profile thereof upon such location, and shall be fixed and agreed upon by an engineer of the Company and the chief engineer of the Department of Railways and Canals as a result of such surveys, having regard to the physical features of the country and to the cost of construction, and endeavouring as fairly as possible to determine where the more easy and less expensive work characteristic of prairie construction comes to an end and the more difficult and expensive work characteristic of mountain construction begins; and in case the said engineers differ as to the location of the said easterly limit, the question shall be determined by the Minister of Railways and Canals, whose decision shall be final.

Expropria-  
tion of lands.

6. Lands or easements actually required for the construction, maintenance and operation of any means of transmission of compressed air, electricity, heat, light or any other form of energy, may be taken and acquired by the Company; and, to this end, after a plan of any such lands or easements required has been approved by the Governor in Council, all the provisions of *The Railway Act* which are applicable to such taking and acquisition shall, so far as they are applicable thereto, and *mutatis mutandis*, apply as if they were included in this Act; and all the provisions of *The Railway Act* which are applicable shall, in like manner, *mutatis mutandis*, apply to the valuation and payment of the compensation for, or of any damage to lands arising out of such taking and acquisition for the purposes aforesaid, or out of the construction, maintenance and operation of such means of transmission and supply.

Lines and  
wires on  
highways.

2. Section 247 of *The Railway Act* shall apply to the Company and to any work authorized by this Act.

Taking lands  
of other  
companies in  
certain cases.

7. Whenever, in the opinion of the Board of Railway Commissioners for Canada, owing to the configuration of any portion of the country through which the Company's line of railway passes, it is impracticable or unduly expensive to build, more  
than



than one line of railway through that portion of country, the provisions of section 176 of *The Railway Act* shall apply as regards the Company and any other company authorized to construct a line of railway through that portion of country; but nothing in this section of this Act shall be deemed to limit or restrain in any way the application of the said section 176.

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most Excellent Majesty.





## 7-8 EDWARD VII.

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### CHAP. 106.

#### An Act respecting the Erie, London and Tillsonburg Railway Company.

*[Assented to 3rd April, 1908.]*

**W**HEREAS the Erie, London and Tillsonburg Railway Com- Preamble.  
pany has by its petition prayed that it be enacted as  
hereinafter set forth, and it is expedient to grant the prayer 1906, c. 90.  
of the said petition: Therefore His Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows:—

**1.** The Erie, London and Tillsonburg Railway Company may Time for  
construction  
extended.  
commence the construction of its railway, and expend fifteen  
per cent of the amount of its capital stock thereon, within two  
years after the passing of this Act, and may complete the said  
railway and put it in operation within five years after the passing  
of this Act; and if the said railway is not so commenced and  
such expenditure is not so made, or if the said railway is not  
completed and put in operation within the said periods respec-  
tively, the powers of construction conferred upon the said Com-  
pany by Parliament shall cease and be null and void as respects  
so much of the said railway as then remains uncompleted.

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most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 107.

#### An Act respecting the Esquimalt and Nanaimo Railway Company.

[Assented to 12th February, 1908.]

**W**HEREAS the Esquimalt and Nanaimo Railway Company Preamble.  
has by its petition prayed that it be enacted as herein- 1884, c. 6;  
after set forth, and it is expedient to grant the prayer of the said 1886, c. 15;  
petition: Therefore His Majesty, by and with the advice and 1888, c. 89;  
consent of the Senate and House of Commons of Canada, enacts 1905, c. 90;  
as follows:— 1906, c. 92.

**1.** The Esquimalt and Nanaimo Railway Company may Time for  
commence the construction of the railway and branches author- construction  
ized by section 2 of chapter 92 of the statutes of 1906, within of railway  
two years after the passing of this Act, and may complete the extended.  
said railway and branches and put them in operation within 1906, c. 92.  
five years after the passing of this Act; and if the said railway  
and branches are not so commenced, or if the said railway and  
branches are not completed and put in operation within the  
said periods respectively, the powers of construction conferred  
upon the said Company by Parliament shall cease and be null  
and void as respects so much of the said railway as then remains  
uncompleted.

**2.** The securities issued by the said Company in respect of Issue of  
the said railway and branches shall not exceed thirty thousand securities.  
dollars per mile of the said railway and branches, and may be  
issued only in proportion to the length of the said railway and  
branches constructed or under contract to be constructed.





## 7-8 EDWARD VII.

### CHAP. 108.

An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

[Assented to 16th June, 1908.]

**W**HEREAS the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada (hereinafter called "the Society") has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1898, c. 91;  
1901, c. 101.

**1.** Paragraph (e) of section 1 of the Society's Act of incorporation, being chapter 91 of the statutes of 1898, is repealed, and the following is substituted therefor:—

1898, c. 91,  
s. 1 amended.

"(e) to establish and maintain a fund, and with respect thereto to effect contracts of life insurance, to grant, sell or purchase life annuities, grant endowments depending on the contingency of human life, and generally to carry on the business of life insurance in all its branches and forms among the members of the Society."

Objects of Society.  
Life insurance.

**2.** The Society may make, from the fund accumulated pursuant to paragraph (e), substituted by section 1 of this Act for paragraph (e) of section 1 of its Act of incorporation, the deposit usually required to be made by a company to entitle it to a license under *The Insurance Act* to transact the business of life insurance, which deposit was dispensed with by section 12 of the Society's Act of incorporation; but no deposit shall be required from the Society with respect to its business of sickness insurance provided for by paragraph (d) of section 1 of its Act of incorporation, and the license heretofore granted to the Society may be renewed from time to time so long as it

Deposit of securities.

complies with the provisions of the said Act of incorporation, as amended by this Act, and of *The Insurance Act*.

Loans to contributors to fund.

**3.** From the said fund the Society may lend to any policyholder who is a contributor thereto, upon the security of his policy, an amount not exceeding eighty per cent of the legal reserve or reinsurance value of such policy, calculated in accordance with the requirements of *The Insurance Act*.

Short name of Society.

**4.** The Society may be referred to in its constitution and laws, and in its correspondence and in all of its printed and written matter, as "The Ancient Order of Foresters," or "The A.O.F."

1898, c. 91, s. 10 amended.

**5.** Subsection 1 of section 10 of the Society's Act of incorporation is amended by striking out the words "every such policy or certificate being regarded for the purpose of computation as a contract for the whole of life with level premiums," in the sixth, seventh and eighth lines thereof.

Lapsed policies.

**6.** Whenever any holder of a policy, other than a term or natural premium policy, has paid three or more annual premiums thereon, or their equivalent half-yearly or quarterly premiums, and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited, but he shall be entitled to receive a paid-up and commuted policy or to be paid a cash surrender value, the amount of such paid-up and commuted policy and of such cash surrender value to be fixed and ascertained by by-law of the Society upon principles applicable generally to all such cases as may occur: Provided that if such paid-up and commuted policy or such cash payment is not demanded while the original policy is in force, or within twelve months after default has been made in payment of a premium thereon, the Society shall, without any demand therefor, either issue such paid-up and commuted policy, or pay to, or place to the credit of, the policyholder such cash surrender value.

Sec. 12 repealed.

**7.** Section 12 of the Society's Act of incorporation is repealed.

Application of Insurance Acts.

**8.** This Act and the Society and the exercise of the powers conferred by its Act of incorporation and this Act shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which the said Act of incorporation or this Act is inconsistent with those Acts, the latter shall prevail.

Conflicting provisions.





## 7-8 EDWARD VII.

### CHAP. 109.

#### An Act respecting the Fort William Terminal Railway and Bridge Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Fort William Terminal Railway and Bridge Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Fort William Terminal Railway and Bridge Company, hereinafter called "the Company," may commence the construction of its railway and bridges, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and bridges and put them in operation within five years after the passing of this Act; and if the said railway and bridges are not so commenced and such expenditure is not so made, or if the said railway and bridges are not completed and put in operation within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway and bridges as then remains uncompleted.

Time for construction extended.

**2.** Notwithstanding section 8 of the Company's Act of incorporation, chapter 97 of the statutes of 1906, and notwithstanding any plans, profiles, and books of reference heretofore sanctioned by the Board of Railway Commissioners for Canada, the Board may order and sanction deviations with respect to the location of the Company's line of railway on the islands referred to in the said section.

Change in location of line.

Acquisition  
of rights and  
abolition of  
tolls by  
city of  
Fort William.

**3.** The corporation of the city of Fort William may at any time or from time to time, upon such terms and for such consideration as are agreed upon between the city and the Company, acquire the use of the facilities for pedestrian, vehicular, and street car traffic afforded by the bridges authorized by the said Act of incorporation, or any one or more of them, for the purpose of making such facilities free of tolls with respect to such traffic; and in the event of the city and the Company being unable to agree upon the consideration to be paid or given, or upon the terms upon which the use of such facilities are to be acquired and used, these matters shall be settled and determined by the Board of Railway Commissioners for Canada.

Manner of  
expenditure  
of 15 per cent.

**4.** The fifteen per cent of the amount of the Company's capital stock to be expended within two years of the passing of this Act, as provided in section 1 hereof, shall be expended upon the foundations and substructure of the bridge over the Kaministiquia river; and any portion thereof not required for such purposes shall be expended upon the other parts of the said bridge; and such expenditure shall be deemed to be with respect to, and a commencement of both the railway and the bridges, within the meaning of section 1 hereof.

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## 7-8 EDWARD VII.

### CHAP. 110.

#### An Act for the relief of Edith Maud Rosario Gammell.

[Assented to 16th June, 1908.]

**W**HEREAS Edith Maud Rosario Gammell, presently residing Preamble.  
in the city of Toronto, in the province of Ontario, wife of  
Hector Hatch Gammell, of the city of Saskatoon, in the  
province of Saskatchewan, civil engineer, has by her petition  
alleged, in effect, that they were lawfully married on the eleventh  
day of September, A.D. 1894, at the parish church, in the parish  
of St. George, Hanover Square, in the county of London,  
England, she then being Edith Maud Rosario Hughes, spinster,  
of Weston-super-Mare, England; that the legal domicile of the  
said Hector Hatch Gammell was then in England; that in the  
month of October, A.D. 1905, he came to Canada and became  
domiciled, and is now domiciled in Canada; that at the city of  
Saskatoon, in the province of Saskatchewan, on or about the  
twenty-sixth day of May, A.D. 1907, he committed adultery  
with one Mrs. Cordery, of the said city of Saskatoon, at the said  
city of Saskatoon; that she has not connived at or condoned  
the said adultery; that there has been no collusion, directly or  
indirectly, between him and her in the proceedings for divorce;  
and whereas by her petition she has prayed for the passing of  
an Act dissolving her said marriage, authorizing her to marry  
again, and affording her such other relief as is deemed meet;  
and whereas the said allegations have been proved, and it is  
expedient that the prayer of her petition be granted: Therefore  
His Majesty, by and with the advice and consent of the Senate  
and House of Commons of Canada, enacts as follows:—

1. The said marriage between Edith Maud Rosario Hughes and Hector Hatch Gammell, her husband, is hereby dissolved, Marriage dissolved.  
and shall be henceforth null and void to all intents and purposes  
whatsoever.

Right to  
marry again.                      2. The said Edith Maud Rosario Hughes may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Hector Hatch Gammell had not been solemnized.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. III.

#### An Act respecting certain patents of the General Chemical Company.

[Assented to 20th July, 1908.]

**W**HEREAS the General Chemical Company of Phillipstown, Preamble.  
in the state of New York, one of the United States of America, and Nichols Chemical Company, Limited, of Canada, have by their petition represented that the General Chemical Company is the holder and owner of certain patents issued under the seal of the Patent Office, namely, patent number 79,480, dated the twenty-fourth day of February, 1903, for improvements in apparatus for the manufacture of sulphuric anhydride; patent number 79,831, dated the twenty-fourth day of March, 1903, for improvements in methods of making sulphuric anhydride; patent number 81,136, dated the twenty-sixth day of May, 1903, for improvements in processes of making sulphuric acid, and patent number 84,903, dated the nineteenth day of January, 1904, for improvements in a process of making sulphuric acid; patent number 92,803, dated the twenty-fifth day of April, 1905, for improvements in the manufacture of sulphuric anhydride and sulphuric acid and methods and apparatus to be employed therein: And whereas the said companies have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Notwithstanding anything in chapter 61 of the Revised Statutes of Canada, 1886, as amended by chapter 46 of the statutes of 1903, or in *The Patent Act*, chapter 69 of the Revised Statutes of Canada, 1906, or in the patents mentioned in the preamble, or any acts of the owners or licensees thereof heretofore done from time to time, the said patents are declared not

Patents  
declared to  
be still  
in force.  
  
R.S.C., 1886,  
c. 61; 1903,  
c. 46; R.S.,  
1906, c. 60.

to have become null and void and not to have ceased and determined under paragraph (b) of section 4 of chapter 46 of the statutes of 1903, or paragraph (b) of section 38 of chapter 69 of the Revised Statutes of Canada, 1906, but to be valid and subsisting and to be in full force and effect.

Saving  
clause as to  
rights of  
persons who  
have  
commenced  
manufacture,  
use and sale.

Proviso.

**2.** If within the period between the expiry of one year from the date of each of the said patents and the first day of May, 1908, any person other than any licensee has commenced to manufacture, use and sell in Canada any of the patented inventions covered by any of the said patents respectively, such person may continue to manufacture, use and sell such invention in as full and ample a manner as if this Act had not been passed: Provided that this exemption shall not extend to any person who, without the consent of the holder of such patent, had commenced the construction and manufacture of, or used or sold, the said invention within the period of one year from the date of such patent.

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most Excellent Majesty.



## 7-8 EDWARD VII.

### CHAP. 112.

#### An Act for the relief of Edith May Gilmore.

[Assented to 20th July, 1908.]

**W**HEREAS Edith May Gilmore, presently residing at the Preamble.  
city of Toronto, in the province of Ontario, wife of Alfred  
Robert William Gilmore, of the said city, commercial traveller,  
has by her petition alleged, in effect, that they were lawfully  
married on the twenty-sixth day of February, A.D. 1900, at the  
said city, she then being Edith May Yeaxlie, spinster; that the  
legal domicile of the said Alfred Robert William Gilmore was  
then and is now in Canada; that, at the city of Montreal, in  
the province of Quebec, in or about the month of July, A.D.  
1905, he committed adultery with some woman whose name is  
unknown; that she has not connived at nor condoned the said  
adultery; that there has been no collusion, directly or indi-  
rectly, between him and her in the proceedings for divorce;  
and whereas by her petition she has prayed for the passing of  
an Act dissolving her said marriage, authorizing her to marry  
again, and affording her such other relief as is deemed meet;  
and whereas the said allegations have been proved, and it is  
expedient that the prayer of her petition be granted: Therefore  
His Majesty, by and with the advice and consent of the Senate  
and House of Commons of Canada, enacts as follows:—

1. The said marriage between Edith May Yeaxlie and Alfred Marriage dissolved.  
Robert William Gilmore, her husband, is hereby dissolved, and  
shall be henceforth null and void to all intents and purposes  
whatsoever.

2. The said Edith May Gilmore may at any time hereafter Right to marry again.  
marry any man whom she might lawfully marry if the said  
marriage with the said Alfred Robert William Gilmore had  
not been solemnized.







## 7-8 EDWARD VII.

### CHAP. 113.

#### An Act respecting a patent of Eugène François Giraud.

[Assented to 17th March, 1908.]

**W**HEREAS Eugène François Giraud, of Doulaincourt, France, Preamble.  
has by his petition represented that he is the holder and owner of patent number seventy-three thousand one hundred and one, dated the seventeenth day of September, one thousand nine hundred and one, issued under the seal of the Patent Office, for improvements in chain-making machines; and whereas the said Eugène François Giraud has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patent an application for a certificate of payment and the usual fees upon the said patent for the remainder of the term of eighteen years from the date thereof, and may grant and issue to the said holder the certificate of payment of fees provided by *The Patent Act*, and an extension of the period of duration of the said patent to the full term of eighteen years in as full and ample a manner as if the application therefor had been duly made within six years from the date of the said patent. Commissioner of Patents may extend duration of patent. R.S., c. 69.

**2.** If any person has, in the period between the expiry of six years from the date of the said patent and the second day of November, one thousand nine hundred and seven, commenced to manufacture, use or sell, in Canada, the invention Certain rights saved.

covered by the said patent, such person may continue to manufacture, use and sell such invention in as full and ample a manner as if this Act had not been passed.

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most Excellent Majesty.



## 7-8 EDWARD VII.

### CHAP. 114.

#### An Act respecting patents of the Goodwin Car Company.

[Assented to 17th March, 1908.]

**W**HEREAS the Goodwin Car Company, a corporate body Preamble.  
having its head office in the city of Chicago, in the state of Illinois, one of the United States, has by its petition represented that it is the proprietor of certain patents of invention on dumping cars used in railway construction, and is the holder and owner of certain letters patent of Canada, issued under the seal of the Patent Office, namely, patent number fifty-nine thousand nine hundred and sixty-two, dated the tenth day of May, one thousand eight hundred and ninety-eight, for dumping vehicle, and patent number seventy-one thousand eight hundred and nine, dated the eighteenth day of June, one thousand nine hundred and one, for dumping scow or vehicle; and whereas both of said patents are subject to the compulsory licensing conditions set out in paragraphs (a), (b), (c) and (d), of section 44 of *The Patent Act*; and whereas the said company R.S., c. 69.  
has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the importation during a period not exceeding one year from the first day of April, one thousand nine hundred and eight, by the said Goodwin Car Company, or by its legal representative, of not more than twenty dumping cars, described and claimed in the said patents, which have previously been used in railway construction in the United States, shall in no way cause forfeiture of any rights acquired under the said patents, and such importation beyond the authorized period, and during the period hereby Importation authorized within certain limits.

limited, shall not be deemed, in any way, to have affected the validity of the said patents, but the said patents shall be considered in all respects as if an extension of the period of importation had been obtained up to the end of the period authorized by this Act.

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most Excellent Majesty.





## 7-8 EDWARD VII.

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### CHAP. 115.

#### An Act respecting the Grand Trunk Pacific Branch Lines Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Grand Trunk Pacific Branch Lines Company Preamble.  
has by its petition prayed that it be enacted as herein- 1906, c. 99.  
after set forth, and it is expedient to grant the prayer of the  
said petition: Therefore His Majesty, by and with the advice  
and consent of the Senate and House of Commons of Canada,  
enacts as follows:—

**1.** The Grand Trunk Pacific Branch Lines Company may Extension of  
commence the construction of the lines of railway authorized time for  
by section 11 of chapter 99 of the statutes of 1906, within two construction.  
years after the passing of this Act, and may complete the said  
lines of railway and put them in operation within five years  
after the passing of this Act; and if the said lines of railway are  
not so commenced, or if the said lines of railway are not com-  
pleted and put in operation, within the said periods respec-  
tively, the powers of construction conferred upon the said Com-  
pany by Parliament shall cease and be null and void as respects  
so much of the said railway as then remains uncompleted.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 116.

#### An Act to incorporate the Bank of Hamilton Pension Fund.

[Assented to 16th June, 1908.]

**W**HEREAS the Honourable William Gibson, of Beamsville, Preamble.  
the Honourable John Strathearn Hendrie, James  
Turnbull and Cameron Bartlett, of Hamilton, and Henry  
Harcourt O'Reilly, of Winnipeg, have by their petition  
prayed that it be enacted as hereinafter set forth, and  
it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent  
of the Senate and House of Commons of Canada, enacts as  
follows:—

**1.** The Honourable William Gibson, the Honourable John Incorporation.  
Strathearn Hendrie, James Turnbull, Cameron Bartlett and  
Henry Harcourt O'Reilly, and all the employees of the Bank  
of Hamilton (hereinafter called "the Bank") from time to  
time, except such as are ineligible or excluded by virtue of  
the by-laws thereof, are incorporated under the name of "The  
Bank of Hamilton Pension Fund," hereinafter called "the Corporate name.  
Corporation."

**2.** The Corporation shall have its principal office at Ham- Head office.  
ilton.

**3.** The Bank may pay and the Corporation may receive Pension fund.  
such sums as the Bank may contribute under subsection 2 of R.S., c. 29,  
section 18 of *The Bank Act* towards any pension fund. s. 18.

**4.** The Corporation may receive such sums of money as are Power to  
paid in by any employee of the Bank under any regulation or receive pay-  
by-law hereafter made by the Corporation, and may also receive ments and  
gifts or contributions from any person. gifts to  
pension fund.

Property to be held in trust to provide pensions.

**5.** The property of the Corporation shall be held in trust by it for the purpose of providing pensions for employees or ex-employees of the Bank, or their widows and children, in such amounts, and under such terms and conditions as are determined from time to time by the directors.

Investment of funds.

**6.** The funds of the Corporation may be invested by the directors, from time to time, in real estate, or in mortgages or hypothecs secured upon real estate, or in bonds or debentures of any incorporated company secured by a deed of trust on the assets of the company by which they are issued, or in debentures of any municipal corporation in Canada, or in the public securities of Canada, or any province thereof, or of the United States, or any state thereof, and the said funds may be deposited in any chartered bank in Canada.

Deposits in chartered bank.

Disposal of investments.

**2.** Any investment of the Corporation may be disposed of from time to time by the directors as they see fit.

First directors.

**7.** The said Honourable William Gibson, Honourable John Strathearn Hendrie, James Turnbull, Cameron Bartlett and Henry Harcourt O'Reilly, shall be the first directors of the Corporation, and shall hold office until their successors are appointed under the by-laws of the Corporation.

Two directors appointed by Bank.

**2.** Two directors, whether employees of the Bank or not, shall, from time to time, be chosen from and appointed by the board of directors of the Bank.

Number of directors.

**3.** In addition to the two directors appointed by the Bank, there shall be appointed, from time to time, as may be provided by by-law, not less than three nor more than five other directors.

Powers of directors.

**8.** The directors may in all things administer the affairs of the Corporation.

By-laws.

**9.** The directors may make such by-laws as are necessary for the government of the Corporation, the election and number of directors, the appointing of its officers, the continuing of its business, the investment of its funds, the distribution thereof among the employees, or the ex-employees, or their widows and children, and for the determining of their respective rights in and to the funds of the Corporation, or any part thereof, and the forfeiture of their rights thereto, the rights of any employee to vote at any meeting, and generally for such purposes incidental to the carrying on of the corporate existence and purpose as they deem expedient.

Proof of by-laws.

**10.** A copy of any by-law of the Corporation, under its seal, and purporting to be signed by any officer of the Corporation, shall be received as prima facie evidence of such by-law in all courts in Canada.



**11.** The general manager of the Bank for the time being shall, at a suitable time after the passing of this Act, cause a notice to be sent, in such manner as he deems fit, of a special general meeting of the Corporation to be held at such time and place so soon thereafter as is convenient. Special general meeting.

**12.** The Corporation shall, whenever required by the Governor in Council, or by either House of Parliament, make a full and complete return of its property, receipts and expenditures, for such periods and with such details and other information as are required. Return of property, receipts and expenditure as required.

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## 7-8 EDWARD VII.

### CHAP. 117.

#### An Act respecting the Hamilton Radial Electric Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Hamilton Radial Electric Railway Company Preamble.  
has by its petition represented that it was incorporated Ont.  
by chapter 88 of the statutes of 1894 of Ontario, whereby, 1894, c. 88;  
and by subsequent amendments of the said Act, the said com- 1895, c. 101;  
pany was authorized to construct various lines of railway from 1896, c. 103;  
the city of Hamilton to different places in the province of 1900, c. 112;  
Ontario as in the said Act and amendments set forth; and 1904, c. 77.  
whereas doubts have been raised whether, under and by virtue  
of the provisions of sections 306 and 307 of *The Railway Act*  
of 1888, and sections 91 and 92 of *The British North America*  
*Act, 1867*, the railway of the said company on crossing the line  
of the Grand Trunk Railway Company at Burlington in the  
year 1897 became and has since been subject to the exclusive  
legislative authority of the Parliament of Canada; and whereas  
applications have been made to the Legislative Assembly of  
Ontario for Acts extending the time for constructing the said  
company's lines of railway, and such Acts have been passed;  
and whereas the said company has by its petition asked for  
authority to carry out certain extensions and works beyond  
provincial jurisdiction; and whereas it is advisable that all  
questions as to jurisdiction should be set at rest, and that the  
said company should be enabled to carry out its various enter-  
prises; and whereas the said company has prayed that it be  
enacted as hereinafter set forth, and it is expedient to grant the  
prayer of the said petition: Therefore His Majesty, by and  
with the advice and consent of the Senate and House of Commons  
of Canada, enacts as follows:—

1. In this Act the expression "the Company" means the Interpreta-  
body politic and corporate created by chapter 88 of the statutes tion.  
of

of Ontario, 1894, and continued by the said amendments thereof;  
 Declaratory and for the removal of all doubts the lines of railway which the  
 Company is empowered to construct are hereby declared to be  
 works for the general advantage of Canada.

Powers confirmed. **2.** Nothing in this Act, or in *The Railway Act*, shall invali-  
 date any action heretofore taken by the Company pursuant to  
 powers contained in the Acts mentioned in the preamble, and  
 R. S., c. 37. the powers and privileges granted by the said Acts are hereby  
 confirmed, subject to the conditions and obligations imposed  
 by the said Acts: Provided that hereafter *The Railway Act*  
 shall apply to the Company and the said railway to the exclu-  
 sion of any of the provisions of the said Acts mentioned in the  
 preamble which are inconsistent herewith and in lieu of any  
 general Railway Act of the province of Ontario.

Lines of railway authorized. **3.** The Company may lay out, construct and operate the  
 lines of railway referred to in this Act; and if the construction  
 of the said lines of railway is not commenced, and fifteen per  
 cent of the amount of the capital stock of the Company is  
 not expended thereon, within two years of the passing of this  
 Act, or if the said lines of railway are not completed and put  
 Limitation of time for construction. in operation within five years of the passing of this Act, then  
 the powers of construction granted to the Company shall cease  
 and be null and void as respects so much of the said lines of  
 railway as then remains uncompleted.

Extension of railway. **4.** The Company may lay out, construct and operate an  
 extension of its heretofore authorized lines of railway from  
 the town of Oakville, in the county of Halton, to some point  
 within the limits of the city of Toronto, in the county of York;  
 Consent of municipalities. but it shall not construct its railway, or any extension thereof,  
 along any highway or public place within the limits of the  
 county of York or the city of Toronto, without first obtaining  
 the consent, expressed by by-law, of the municipality having  
 jurisdiction over such highway or public place, and upon terms  
 to be agreed on with such municipality: Provided, however,  
 As to High Park. that if the Company wishes to construct its railway through  
 or across High Park (one of the public places or parks of the  
 city of Toronto), it may construct it along the south limit of the  
 said park, north of and parallel with and contiguous to the  
 right of way of the Grand Trunk Railway Company of Canada,  
 or along such other location near thereto as may be agreed  
 upon between the Company and the council of the said city;  
 such railway to be constructed and kept, from time to time,  
 at the same elevation as the tracks of the said Grand Trunk  
 Railway Company; the Company to make compensation to  
 the city according to the provisions of *The Railway Act* for lands  
 taken or injuriously affected; and the Company to make safe  
 and suitable provision for crossing the roads entering, or in the  
 said



said park, by means of bridges or under-crossings to be constructed at such places and according to such plans, and at such elevations, as may be approved by the engineer for the time being of the said city, or such engineer as may be appointed for that purpose.

2. Unless with the consent of the council of the city of Toronto, expressed by by-law, the railway of the Company shall not be constructed across any highway in the said city east of Roncesvalles avenue, except by a subway underneath, or by a bridge over, such highway. Crossings  
in Toronto.

3. The Company shall not, without the consent of the council of the said city expressed by by-law, receive or discharge passengers at more than two points (to be approved by the said council) between its terminal in the said city and the present westerly limit of the said city; and, if hereafter extended easterly, the Company shall not, without the like consent, receive or discharge passengers at more than two points (to be approved by the said council) between the said terminal and the present easterly limit of the said city. Stopping  
places in  
Toronto.

5. The Company may lay out, construct and operate the following branch lines:— Branch  
lines.

(a) From the city of Hamilton, running through the city of St. Catharines, to some point on the Niagara river between Niagara Falls and Fort Erie, with a bridge over the Niagara river in connection with the Company's line of railway, or instead of constructing such bridge the Company may enter into an agreement or agreements for running rights over any bridge across said river already or hereafter constructed;

(b) From the city of Brantford to a point on the Detroit river at or near Windsor, running through the counties of Brant, Oxford, Elgin, Kent and Essex and through or near the cities of Woodstock and St. Thomas and the city of Chatham; and in connection with such branch the Company may construct, maintain and operate ferries across the Detroit river;

(c) Suburban lines of railway within the limits of the county of Wentworth, but not within the limits of the city of Hamilton, save as hereinafter set forth: Provided, however, that the Company may construct a line on private right of way connecting with the present line at a point south of Cannon street between Cannon and Wilson streets and running easterly to the city limits: Provided further that the Company, having at the request of the city agreed to abandon its proposed freight switch line running southwesterly through private property from near the intersection of Cannon street and Birch avenue to the Company's property on the south side of Wilson street between Sanford avenue and Wentworth street, and the city consenting hereto, the Company may use its line of railway for ordinary freight traffic from the point where it runs upon Wilson street

between Birch and Stirton avenues westerly to the said property of the Company or that portion thereof on which it is intended by the Company to establish a freight warehouse between Sanford avenue and Wentworth street.

Crossings  
in Hamilton.

2. Save as aforesaid, nothing in this Act shall empower the Company to lay out or construct any railway track upon, along, under, over or across any highway in the city of Hamilton without the consent of the council of the said city expressed by by-law.

Use of steam.

3. Within the limits of the county of Wentworth and of the city of Hamilton steam may be used for the purpose of constructing the said railway, but shall not be used as motive power for its operation.

Alternative  
powers.

4. Instead of constructing the line of railway authorized by paragraph (b) of subsection 1 of this section, the Company may construct a line of railway from the city of Brantford to the city of London, and, subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into an agreement or agreements with the Windsor, Chatham and London Railway Company and the Windsor, Essex and Lake Shore Rapid Railway Company, or with either of the said companies, for any of the purposes specified in the said section 361.

Consent of  
municipali-  
ties.

6. Save as otherwise in this Act specifically provided, the Company shall not construct or operate its railway along any highway or public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place and upon terms to be agreed on with such municipality.

Taking  
of lands.

7. Subject to the provisions of *The Railway Act* as to the taking of lands and the compensation to be made therefor, the Company may, from time to time, take and use such lands as shall be required for the purpose of building, maintaining and supporting the bridges, terminals, terminal buildings, wharfs and ferries referred to in this Act.

Issue of  
securities

8. Notwithstanding anything in the said Act of incorporation or in the said amendments thereof, the Company may issue securities in respect of its several undertakings not exceeding the amount of thirty thousand dollars per mile of single track, with an additional amount of ten thousand dollars per mile of double track; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Securities on  
bridges and  
terminals.

9. The Company may issue also securities to the extent of seventy-five per cent of its actual expenditure upon or in respect of a bridge, including the approaches thereto, across the old

Welland Canal, at the city of St. Catharines, a bridge, including the approaches thereto, across the Niagara river, the purchase of right of way, terminals and station buildings in the city of Toronto, and the ferries for operating on the Detroit river, including wharf accommodation at or near Windsor, and the immediate approaches thereto.

**10.** Nothing in this Act contained, or done under or by virtue of the powers hereby granted, shall alter or affect the provisions contained in any by-law of any municipality heretofore passed relating to the Company, or to any portion of the Company's railway heretofore or hereafter constructed, or contained in any agreement between any municipality and the Company; but all such agreements and by-laws shall continue and remain in full force as between the municipality and the Company as continued and incorporated by this Act; and in case of any inconsistency between the provisions contained in any such by-law or agreement and the provisions of *The Railway Act*, the provisions contained in the by-law or agreement shall prevail, and all such by-laws and agreements and all rights, franchises, privileges and exemptions of the Company thereunder are hereby confirmed.

Saving as to agreements with municipalities

**11.** Paragraph (j) of section 151 of *The Railway Act* shall not apply to the Company with respect to any such line of railway as is constructed along or upon any public highway.

Trees not to be cut

**12.** The Company may, subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, enter into any agreement or agreements, for any of the purposes mentioned in the said section 361, with the Brantford and Hamilton Electric Railway Company and the Hamilton and Dundas Street Railway Company, or either of them; but it shall not, without the consent of the council of the city of Hamilton expressed by by-law, enter into agreement or agreements for any of the said purposes with the Hamilton, Grimsby and Beamsville Electric Railway Company, the Hamilton Street Railway Company, or any other street railway company whose railway may be constructed or operated in the said city of Hamilton.

Agreements with other companies.  
R. S., c. 37.

**13.** The Company shall not sell, dispose of, or distribute electric power or energy within, or for use within, the limits of any municipality which owns and operates its own electric lighting or power plant without the consent, expressed by by-law, of the council of such municipality.

Saving as to municipal electric plant.









## 7-8 EDWARD VII.

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### CHAP. 118.

#### An Act respecting the Hamilton, Waterloo and Guelph Railway Company.

[Assented to 20th July, 1908.]

**W**HEREAS the Hamilton, Waterloo and Guelph Railway Preamble.  
Company has by its petition prayed that it be enacted  
as hereinafter set forth; and whereas by the said petition it has 1906, c. 106.  
been made to appear that the circumstances and conditions in  
connection with the construction of the lines of railway of the  
petitioner are very exceptional; and whereas it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House  
of Commons of Canada, enacts as follows:—

**1.** Section 10 of chapter 106 of the statutes of 1906, intituled 1906, c. 106,  
*An Act to incorporate the Hamilton, Waterloo and Guelph Railway* s.10 amended.  
*Company*, is hereby amended by substituting for the word  
“thousand” in the second line thereof, the words “seven thou-  
sand five hundred.”  
Issue of  
securities  
increased  
from \$30,000  
to \$37,500  
per mile.

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most Excellent Majesty.





## 7-8 EDWARD VII.

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### CHAP. 119.

#### An Act respecting the Interprovincial Railway Bridge Company of New Brunswick.

[Assented to 3rd April, 1908.]

**W**HEREAS the Interprovincial Railway Bridge Company of New Brunswick has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1904, c. 87.

**1.** Section 12 of chapter 87 of the statutes of 1904 is repealed.

Section 12  
repealed.

**2.** The Interprovincial Railway Bridge Company of New Brunswick may commence the railway bridge and undertaking authorized by chapter 87 of the statutes of 1904 within three years after the passing of this Act, and shall complete them within six years after the passing of this Act, otherwise the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway bridge and undertaking as then remains uncompleted.

Time for  
construction  
extended.

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## 7-8 EDWARD VII.

### CHAP. 120.

#### An Act respecting the Kamloops and Yellowhead Pass Railway Company.

[Assented to 17th March, 1908.]

**W**HEREAS the Kamloops and Yellowhead Pass Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

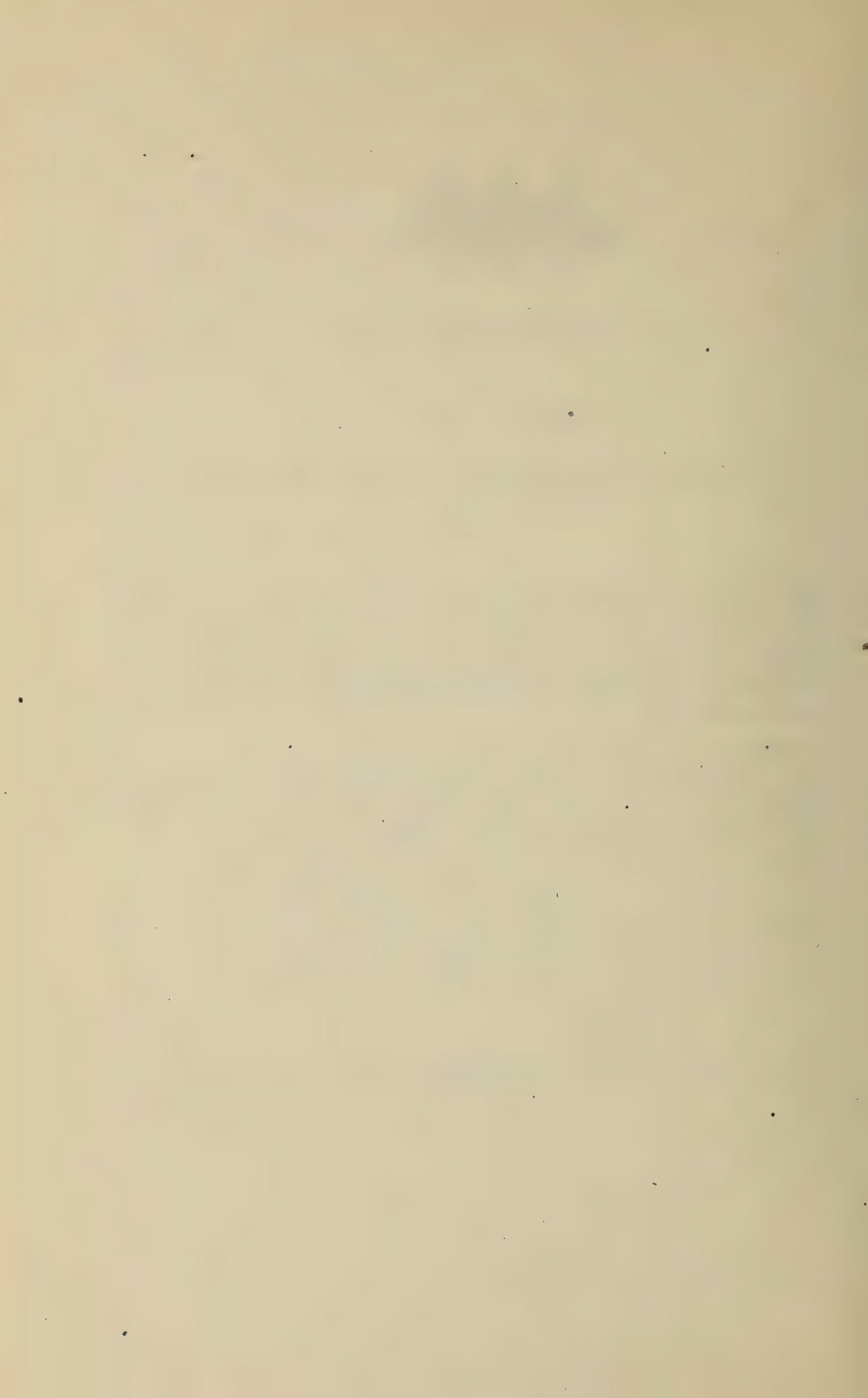
**1.** The Kamloops and Yellow Head Pass Railway Company may commence the construction of its railway, and expend fifteen per cent of its capital stock thereon, within two years after the passing of this Act, and may complete the railway and put it in operation within five years after the passing of this Act; and if the railway is not so commenced, and such expenditure is not so made, or if the railway is not completed and put in operation, within the said respective periods, the powers of construction granted to the said Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Preamble.

1906, c. 115.

Time for construction of railway extended.

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## 7-8 EDWARD VII.

### CHAP. 121.

#### An Act to incorporate the Synod of the Diocese of Keewatin.

[Assented to 20th July, 1908.]

**W**HEREAS a petition has been presented from the Synod of Preamble.  
the diocese of Keewatin, representing the bishop, clergy and laity of the Church of England or Protestant Episcopal Church within the said diocese, which is one of the dioceses of the ecclesiastical province of the Church of England in Rupert's Land, and includes the eastern portion of the province of Manitoba, the western portion of the province of Ontario adjacent thereto, and a portion of that part of the Northwest Territories which was formerly known as the district of Keewatin, lying north of and adjoining the said portions of the said two provinces, praying that the said Synod should be incorporated, and whereas it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The members of the Synod of the diocese of Keewatin, Incorporation.  
according to the constitution of the said Synod, as set forth in the schedule to this Act, together with all persons who become members of the said Synod, according to the said constitution as from time to time amended in accordance with this Act, are hereby constituted a corporation under the name of "The Synod of the Diocese of Keewatin," hereinafter called Corporate name.  
"the Synod."

**2.** The Synod shall be governed as provided by the said Constitution confirmed.  
constitution, but the said constitution may from time to time be amended by the Synod in any manner not inconsistent with Amendment thereof.  
the provisions of this Act or otherwise contrary to law.

By-laws.

- 3.** The Synod may from time to time make by-laws for—
- (a) the administration, management and control of the property, affairs and business of the Synod;
  - (b) the appointment, functions, duties and election of all officers, agents and servants of the Synod;
  - (c) the appointment of committees and their duties;
  - (d) the calling of meetings, regular or special, of the Synod or of committees;
  - (e) the fixing of the necessary quorum and procedure in all things at such meetings;
  - (f) generally for the carrying out of the objects and purposes of the Synod.

Power to acquire and hold property.

**4.** The Synod may purchase, take, have, hold, receive, possess, retain and enjoy, property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever, given, granted, devised or bequeathed to it, or appropriated, purchased, or acquired by it in any manner or way whatsoever, to, for, or in favour of the eleemosynary, ecclesiastical and educational uses and purposes of the Church of England or Protestant Episcopal Church within the said diocese, or to, for, or in favour of the uses and purposes of any parish, mission, institution, college, school or hospital, connected with, or intended to be connected with, the Church of England or Protestant Episcopal Church in the said diocese: Provided, however, that the annual value of the real estate held by the Synod shall not exceed the sum of fifty thousand dollars.

Amount limited.

Power to alienate, mortgage and convey real property.

**5.** The Synod may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Synod, whether simply by the way of investment for the uses and purposes aforesaid or not; and may also, from time to time, invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by the Synod for the uses and purposes aforesaid, in and upon any security by way of mortgage or otherwise, in any part of Canada; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Synod or to any other corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments, and may release and discharge such mortgages or assignments either wholly or partly.

Application of mortmain laws.

**6.** In regard to any real estate which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by sections 4 and 5 of this Act; but otherwise the exercise of the said powers shall



in any province of Canada be subject to the law of such province as to the acquisition and holding of lands by religious corporations.

7. In so far as authorization by the Parliament of Canada is necessary, any person or corporation in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes aforesaid, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Synod to be held in such trust, if any. Transfer  
of trust  
of property  
to the Synod.

8. Any deed or other instrument relating to real estate vested in the Synod or to any interest in such real estate shall, if executed in the Northwest Territories, be deemed to be duly executed if there are affixed thereto the seal of the Synod and the signatures of the bishop of the Diocese of Keewatin or his commissary duly appointed, and of any officer of the Synod duly authorized for such purpose. Execution  
of deeds.

## SCHEDULE.

### *The Constitution of the Synod of the Diocese of Keewatin.*

1. The Synod shall consist of the Bishop of the Diocese; of the clergy of the same licensed to the cure of souls, or holding office in any college or school under the jurisdiction of the Bishop and not under ecclesiastical censure; and of lay-delegates as hereinafter provided; and the treasurer of the Synod and the Chancellor of the Diocese or until a Chancellor be appointed the legal adviser of the Synod. Clergymen who have been members of the Synod and who continue to hold the Bishop's License, though they may cease to have the cure of souls or to hold any other office may continue to attend the meetings of the Synod and to vote thereat.

2. The lay-delegates shall be male communicants of at least one year's standing; and one delegate must always be a member of the congregation represented. They must be of the full age of twenty-one years. They shall be elected during Easter week or if necessary afterwards, at a public meeting specially called for that purpose during divine service on the preceding Sunday. The voters shall consist of male communicants of the parish of at least six months' standing, and a majority of those present shall determine the choice but no person shall vote for the delegate or delegates of more than one congregation. The Incumbent or his assistant shall preside at the meeting, and in their absence the meeting shall elect a chairman from their own number.

The word "Communicant" shall mean "one who has communicated at least three times a year where he has had opportunity of so doing"

3. The Incumbent or chairman shall furnish each delegate with a certificate as follows:—

Parish or Mission of.....  
 Congregation of.....Church  
 No. of Registered Communicants.....

I hereby certify that at a meeting of the Communicants of this Congregation held this \_\_\_\_\_ day of 19\_\_\_\_, Mr. \_\_\_\_\_ was duly elected as a delegate to the Synod for the current year.

Signed.....Chairman.

One clergyman and one layman shall be appointed by the Synod to examine the certificates and report on them.

4. Each congregation recognized by the Bishop, duly organized by the election of church wardens and vestrymen and having at least six registered communicants, shall be entitled to send one delegate; but two delegates may be sent if the number of registered communicants is over forty; and three if it is over one hundred; but no congregation shall send more than three delegates.

5. In the case of the death or resignation of a lay-delegate or his ceasing to be a member of the congregation by removal from the neighborhood, or from any other cause, the Incumbent shall within one month after such vacancy proceed to a new election at a meeting of which notice shall have been given the previous Sunday during divine service.

6. The Synod shall meet annually, unless otherwise ordered by the Bishop and the time and place of meeting shall be fixed by the Bishop who shall also adjourn the Synod as he shall see fit.

7. A quorum of the Synod shall consist of at least one-fourth of the clergy of the diocese and one-fourth of the lay-delegates.

8. No resolution of the Synod shall pass into a law without the concurrence of the Bishop and a majority of the clergy and laity present, the vote of the clergy and laity to be taken collectively unless a vote by Orders is demanded by any member of the Synod before the question is put from the chair, when a majority of each order will be necessary to affirm the resolution.

9. A committee shall be appointed to be called the Executive Committee, to consist of the Bishop or his Commissary as president, the Dean and Archdeacon as vice-presidents, the Secretary and Treasurer of the Synod, three clergymen and four lay-delegates; five of the Executive Committee shall be a quorum; the Executive Committee shall take the management of the various Diocesan Funds under the direction of the Synod, carry out the decisions of that body, prepare business for the annual

meeting of the Synod, and at such annual meeting give in a report of its proceedings.

10. No alteration in the Constitution shall take place unless the proposition has been approved at the meeting of the Synod by the Bishop and a majority of two-thirds of each Order present voting separately and afterwards confirmed by the Bishop and a like majority of each Order at the following meeting of the Synod. In the possible absence of the Bishop of the Diocese or any Commissary he may appoint the chair at any meeting of the Synod shall be taken by the highest dignitary in the Church of this Diocese who may be present.

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## 7-8 EDWARD VII.

### CHAP. 122.

#### An Act respecting the Lake Champlain and St. Lawrence Ship Canal Company.

[Assented to 20th July, 1908.]

**W**HEREAS the Lake Champlain and St. Lawrence Ship Canal Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1898, c. 107;  
1902, c. 68;  
1905, c. 116.

**1.** Chapter 116 of the statutes of 1905 is repealed.

**2.** The Lake Champlain and St. Lawrence Ship Canal Company may, within two years after the passing of this Act, commence the construction of the canal authorized by chapter 107 of the statutes of 1898, and expend fifty thousand dollars thereon, and may complete the said canal within five years after the passing of this Act, and if the said canal is not commenced and the said expenditure is not made, or if the said canal is not completed, within the said periods respectively, the powers of construction conferred on the Company by Parliament shall cease and be null and void as respects so much of the said canal as then remains uncompleted.

1905, c. 116.  
Limit of  
time for  
construction  
Extension of  
time for  
construction.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 123.

#### An Act respecting the Lindsay, Bobcaygeon and Pontypool Railway Company.

[Assented to 17th March, 1908.]

WHEREAS the Lindsay, Bobcaygeon and Pontypool Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1890, c. 55;  
1892, c. 42;  
1894, c. 78;  
1896, c. 24;  
1899, c. 73;  
1901, c. 72;  
1903, c. 144.

1. The Lindsay, Bobcaygeon and Pontypool Railway Company may complete the construction of its railway as authorized by section 1 of chapter 72 of the statutes of 1901 within five years after the passing of this Act; and if the said railway is not completed and put in operation within the said period the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction extended.  
1901, c. 72.

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## 7-8 EDWARD VII.

### CHAP. 124.

#### An Act to incorporate the London and Lancashire Guarantee and Accident Company of Canada.

[Assented to 10th April, 1908.]

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House  
of Commons of Canada, enacts as follows:—

**1.** Alfred Wright, Thomas Hammond Hall, Albert Edward Incorporation.  
Blogg, Greenhow Banks, all of the city of Toronto, in the pro-  
vince of Ontario, and Thomas F. Dobbin, of the city of Mont-  
real, in the province of Quebec, together with such persons as  
become shareholders in the company, are hereby incorporated  
under the name of "The London and Lancashire Guarantee Corporate  
and Accident Company of Canada," hereinafter called "the name.  
Company."

**2.** The persons named in section 1 of this Act, together with Provisional  
such persons not exceeding six as they associate with them, directors.  
shall be the provisional directors of the Company, a majority  
of whom shall be a quorum for the transaction of business, and  
they may forthwith open stock books, procure subscriptions of  
stock for the undertaking, make calls on stock subscribed and Powers.  
receive payments thereon, and shall deposit in a chartered  
bank in Canada all moneys received by them on account of  
stock subscribed or otherwise received by them on account of  
the Company, and may withdraw the same for the purposes of  
the Company only, and may do generally whatever is necessary  
to organize the Company.

**3.** The head office of the Company shall be in the city of Head office.  
Toronto, in the province of Ontario.

- Agencies.** 2. The directors may establish agencies and local advisory boards, either in Canada or elsewhere, at such times and in such manner as they deem expedient.
- Capital stock.** 4. The capital stock of the Company shall be five hundred thousand dollars, divided into shares of one hundred dollars each.
- Increase of capital.** 2. The directors may, after the whole capital stock has been subscribed and fifty per cent paid thereon in cash, increase the amount of the capital stock from time to time to an amount not exceeding one million dollars; but the stock shall not be increased until a resolution of the board of directors authorizing such increase has first been submitted to and confirmed by two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose: Provided that no issue of such increased capital stock shall be made except upon the payment of ten per cent in cash upon the amount of such issue.
- First general meeting.** 5. So soon as one hundred and fifty thousand dollars of the capital stock have been subscribed, and ten per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Toronto, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than five nor more than twenty directors, a majority of whom shall be a quorum.
- Election of directors.**
- Qualification of directors.** 6. No person shall be a director unless he holds in his own name and for his own use at least twenty shares of the capital stock and has paid all calls due thereon and all liabilities incurred by him to the Company.
- General meetings.** 7. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted; and special general or extraordinary meetings may at any time be called by any three of the directors or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.
- Notice of meetings.** 2. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called and addressed by registered letter to the addresses of the shareholders respectively given in the books of the Company.
- Calls on stock.** 8. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the

directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent; and not less than thirty days' notice shall be given of any call; and any notice of call may be effectually given by sending the notice by registered letter, post paid to the last known address of each shareholder: Provided that the whole amount so paid in by any shareholder shall not be less than ten per cent of the amount subscribed by such shareholder.

**9.** The Company shall not commence the business of accident, sickness and guarantee insurance as provided for by this Act until five hundred thousand dollars of the capital stock have been subscribed and one hundred thousand dollars have been paid in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act: Provided that the Company may commence the business of accident or accident and sickness insurance when two hundred and fifty thousand dollars of the capital stock have been subscribed and fifty thousand dollars have been paid in cash into the funds of the Company: Provided further that, in case the business of accident and sickness insurance has not so been taken up, the Company may commence the business of guarantee insurance when two hundred and fifty thousand dollars of the capital stock have been subscribed and fifty thousand dollars have been paid in cash into the funds of the Company.

When business may be commenced.

**10.** The Company may make and effect contracts of insurance against any accident or casualty, of whatever nature or from whatever cause arising, to individuals, whereby the insured suffers loss or injury or is disabled, including sickness not ending in death; or, in case of death from any accident or casualty not including sickness, securing to the representative of the person assured the payment of a certain sum of money upon such terms and conditions as are agreed upon; and in like manner may also make and effect contracts of indemnity with any person against claims and demands of the workmen and employees of such person, or of the legal representatives of such workmen and employees, with respect to accidents or casualties, of whatever nature or from whatever cause arising, whereby the insured suffers pecuniary loss or damage, or incurs costs and expenses; and may generally carry on the business of accident and sickness insurance as defined by *The Insurance Act* for the time being in force.

Accident and sickness insurance.

R.S., c. 34.

**11.** The Company may make and effect contracts of insurance—

Guarantee insurance.

(a) to protect principals, employers and other persons from and against injury, damage or loss by reason of fraud, theft, embezzlement, defalcation, robbery, or other misconduct or negligence, or acts or omissions, or other breaches of duty or of



contract by persons in their employ, or acting on their behalf, or dealing with or having the custody or control of their property, or occupying or about to occupy a fiduciary or administrative position of trust or confidence;

(b) to guarantee the due performance and discharge by court and government officials, employees and agents, receivers, official and other liquidators, special managers, committees, guardians, executors, administrators, trustees, attorneys, brokers, and agents of their respective duties and obligations;

(c) to guarantee persons filling or about to fill situations of trust or confidence against liabilities in connection therewith, and in particular against liabilities resulting from the misconduct of any co-trustee, co-agent, sub-agent or other person.

R.S., c. 34.

2. The Company may carry on, generally, the business of guarantee insurance as defined by *The Insurance Act* for the time being in force.

Power to hold  
real property  
limited.

**12.** The Company may acquire and hold any real property required in part or wholly for its use and accommodation, and may dispose thereof when necessary; but the annual value of such property held in any province of Canada shall not exceed three thousand dollars, except in the province of Ontario where it shall not exceed ten thousand dollars.

Re-insurance.

**13.** The Company may also cause itself to be insured against any risk undertaken in the course of its business.

Of other  
companies.

2. The Company may also undertake the re-insurance of the risks of other companies.

R.S., c. 34  
to apply.

**14.** This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act*, and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which any provision of this Act is inconsistent with those Acts, the provision made by those Acts shall prevail.

Application  
of R.S.,  
c. 79.

**15.** Notwithstanding anything contained in *The Companies Act*, Part II. thereof, except sections 122, 125, 134, 141, 158 and 165, shall apply to the Company, in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament, or of this Act.

R.S., c. 34.





## 7-8 EDWARD VII.

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### CHAP. 125.

#### An Act respecting the Macleod, Cardston and Montana Railway Company.

*[Assented to 17th March, 1908.]*

**W**HEREAS the Macleod, Cardston and Montana Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1903, c. 147;  
1905, c. 119.

**1.** Chapter 119 of the statutes of 1905 is repealed.

1905, c. 119  
repealed.

**2.** The construction of the railway of the Macleod, Cardston and Montana Railway Company may be commenced, and fifteen per cent on the amount of the capital stock expended thereon, within two years after the passing of this Act, and the railway may be completed and put in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said respective periods, then the powers of construction granted to the said Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Time for  
construction  
extended.

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## 7-8 EDWARD VII.

### CHAP. 126.

#### An Act respecting the Manitoba and North-Western Railway Company of Canada.

[Assented to 12th February, 1908.]

**W**HEREAS the Manitoba and North-Western Railway Com- Preamble.  
pany of Canada has by its petition prayed that it be  
enacted as hereinafter set forth, and it is expedient to grant  
the prayer of the said petition: Therefore His Majesty, by and  
with the advice and consent of the Senate and House of Commons  
of Canada, enacts as follows:—

**1.** The Manitoba and North-Western Railway Company of Line of railway authorized.  
Canada may lay out, construct and operate a branch of its  
railway from a point on its main line at or near Theodore in a  
southeasterly direction to a junction with its Russell branch in  
township twenty or twenty-one, range twenty-eight west of the  
principal meridian, a distance of about one hundred and ten  
miles.

**2.** The said branch shall be commenced within two years Time for construction limited.  
after the passing of this Act and completed and put in opera-  
tion within five years after the passing of this Act, and the  
powers conferred upon the said Company shall cease and be  
null and void as respects so much of the said branch as is not  
so commenced and completed.

**3.** The securities issued by the said Company in respect of Issue of securities.  
the said branch shall not exceed twenty thousand dollars per  
mile of the said branch, and may be issued only in proportion  
to the length of the branch constructed or under contract to  
be constructed.







## 7-8 EDWARD VII.

### CHAP. 127.

#### An Act respecting the Manitoulin and North Shore Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Manitoulin and North Shore Railway Com- Preamble.  
pany has by its petition prayed that it be enacted as 1900, c. 64;  
hereinafter set forth, and it is expedient to grant the prayer of 1901, c. 74;  
the said petition: Therefore His Majesty, by and with the advice 1902, c. 72;  
and consent of the Senate and House of Commons, enacts as 1903, c. 148;  
follows:— 1905, c. 120;  
1906, c. 123;  
1907, c. 106.

**1.** The lines of railway described in sections 1 and 2 of chapter 148 of the statutes of 1903, as amended by section 1 of chapter 106 of the statutes of 1907, and in section 7 of chapter 64 of the statutes of 1900, except those portions described in sections 2 and 3 of this Act, may be commenced within two years and completed and put in operation within five years after the passing of this Act; otherwise the powers granted for such construction shall cease and be null and void as respects so much thereof as then remains uncompleted. Extension of time for construction of certain lines. 1907, c. 106, s. 2 amended.

**2.** That part of the railway of the Manitoulin and North Shore Railway Company described in section 7 of chapter 64 of the statutes of 1900, lying between Sudbury and Little Current, shall be commenced and the sum of twenty-five thousand dollars expended on the Manitoulin end thereof before the fifteenth day of July, one thousand nine hundred and eight, and satisfactory evidence furnished to the Chairman of the Board of Railway Commissioners for Canada before that date, showing the Company's ability to complete and put in operation the section herein described within two years after the passing of this Act; but if the construction of the said part of the railway is not commenced and the said sum of twenty-five thousand dollars is not expended thereon, as above set out, or if the Chairman of the Extension of time for construction, Sudbury to Little Current.

said Board is not satisfied with the Company's ability to complete and put in operation the said section within the said two years, or if the said part of the railway is not completed and put in operation within two years after the passing of this Act, then the powers granted for such construction shall cease and be null and void as respects so much of the said part of the railway as then remains uncompleted.

Extension  
of time for  
construction,  
Meaford  
to Owen  
Sound.

3. That part of the said railway described in section 7 of chapter 64 of the statutes of 1900, lying between Meaford and Owen Sound, may be commenced within two years after the passing of this Act; but, if the construction of the said part of the railway is not commenced, and one hundred and fifty thousand dollars are not expended thereon within the said two years, and if the said part of the railway is not completed and put in operation within three years after the passing of this Act, the powers granted for such construction shall cease and be null and void as respects so much of the said part of the railway as then remains uncompleted.

Repeal,  
1906, c. 123,  
ss. 1, 2.  
1907, c. 106,  
s. 2.

4. Sections 1 and 2 of chapter 123 of the statutes of 1906, and section 2 of chapter 106 of the statutes of 1907, are repealed.

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## 7-8 EDWARD VII.

### CHAP. 128.

#### An Act respecting certain patents of the Metal Shingle and Siding Company, Limited.

[Assented to 20th July, 1908.]

**W**HEREAS the Metal Shingle and Siding Company, Limited, Preamble.  
has by its petition represented that it is the holder of certain letters patent for the Dominion of Canada, issued under the seal of the Patent Office, and dated the sixth day of May, 1902, being number 75,775, for improvements in processes for making expanded metal structures, and number 75,776, for improvements in machines for making expanded metal structures; and whereas the said company has by its said petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Notwithstanding anything in *The Patent Act*, or in the said two several letters patent mentioned in the preamble, the Commissioner of Patents may receive from the Metal Shingle and Siding Company, Limited, the application for a certificate of payment and the usual fees upon the said patents for the remainder of the term of eighteen years from the date thereof, and may grant and issue to the said Company the certificate of payment of fees as provided for by *The Patent Act* and an extension of the period of duration of the said letters patent to the full term of eighteen years, in as full and ample a manner as if the application therefor had been duly made within six years from the date of the issue of the said letters patent.

Power to Commissioner of Patents to receive payment of fee and to grant extension.  
R. S., c. 69.  
Term of extension.

**2.** If any person has, in the period between the sixth day of May, 1908, and the date of the passing of this Act, commenced to manufacture, use and sell, in Canada, any of the inventions covered by the said letters patent or either of them, such person

Saving of rights of persons who have commenced manufacture, use and sale.

person may continue to manufacture, use and sell such inventions in as full and ample a manner as if this Act had not been passed.

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## 7-8 EDWARD VII.

### CHAP. 129.

#### An Act respecting patents of Montague Moore and Thomas James Heskett.

[Assented to 17th March, 1908.]

**W**HEREAS Montague Moore, of Melbourne, Australia, and Thomas James Heskett, of Brunswick, Australia, have by their petition represented that they are the owners of patent number ninety thousand one hundred and two, dated the fifteenth day of November, one thousand nine hundred and four, for improvements in apparatus for treating ferruginous ore for the manufacture of iron and steel therefrom, and patent number ninety-two thousand six hundred and three, dated the eleventh day of April, one thousand nine hundred and five, for processes of and apparatus for treating ferruginous ore for the manufacture of iron and steel therefrom, issued under the seal of the Patent Office; and whereas the said Montague Moore and Thomas James Heskett have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the failure to construct or manufacture in Canada the inventions patented under the said patents shall not be deemed to have affected the validity of the said patents, but the time for such construction or manufacture shall be deemed to have been duly extended up to the end of two years from the passing of this Act, and such extension shall have the same effect as if applied for and granted within the time prescribed by *The Patent Act*.

Extension of time for manufacture in Canada.

2. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may vary

Commissioner of Patents may vary

conditions of  
manufacture. Patents may, within three months after the passing of this Act, receive petitions for the making of, and may make, orders that the said patents, instead of being subject to the conditions set forth in paragraph (a) of section 38 of *The Patent Act*, shall be subject to the conditions set forth in paragraphs (a), (b), (c) and (d) of section 44 of *The Patent Act*.

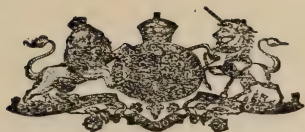
R.S., c. 69.

Existing  
rights saved.

3. If any person, other than a licensee, has, in the period between the fifteenth day of November, one thousand nine hundred and six, and the twenty-sixth day of October, one thousand nine hundred and seven, commenced to manufacture, use and sell in Canada the invention covered by the said patent number ninety thousand one hundred and two, or has in the period between the eleventh day of April, one thousand nine hundred and seven, and the twenty-sixth day of October, one thousand nine hundred and seven, commenced to manufacture, use and sell in Canada the invention covered by the said patent number ninety-two thousand six hundred and three, such person may continue to manufacture, use and sell such inventions in as full and ample a manner as if this Act had not been passed.

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## 7-8 EDWARD VII.

### CHAP. 130.

#### An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.

[Assented to 3rd April, 1908.]

**W**HEREAS the Montreal, Ottawa and Georgian Bay Canal Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1894, c. 103;  
1896 (2nd  
Sess.), c. 11;  
1900, c. 106;  
1902, c. 79;  
1904, c. 98;  
1906, c. 128.

**1.** Section 4 of chapter 128 of the statutes of 1906 is repealed.

1906, c. 128,  
s. 4 repealed.

**2.** The Montreal, Ottawa and Georgian Bay Canal Company may commence the construction of its canals, or some of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and ten, and may finish the said canals and put them in operation by the first day of May, one thousand nine hundred and sixteen, and, subject to the provisions of this Act, may, in connection with such construction and operation, exercise all the powers granted to the said Company by its Act of incorporation, chapter 103 of the statutes of 1894, and amendments thereof; and if such construction is not so commenced and such expenditure is not so made, or if the said canals are not finished and put in operation, on or before the said respective dates, the powers granted to the said Company by Parliament shall cease and be null and void as respects so much of the canals and works of the said Company as then remains uncompleted.

Time  
extended for  
construction  
of canal.

**3.** Nothing in this Act shall affect or impair the rights of the Government of Canada, under or by virtue of the provisions of the section substituted by section 5 of chapter 128 of the statutes of 1906 for section 43 of chapter 103 of the statutes of 1894.

Rights of  
Government  
to take over  
works.







## 7-8 EDWARD VII.

### CHAP. 131.

An Act respecting the Anglo-Canadian Insurance Company, and to change its name to the National Union Insurance Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Anglo-Canadian Insurance Company, hereinafter called "the Company," has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The name of the Anglo-Canadian Insurance Company, hereinafter called "the Company," is changed to "The National Union Insurance Company;" but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Preamble.  
1906, c. 57.  
Corporate name changed.  
1906, c. 57, c. 1.  
Existing rights saved.

**2.** The head office of the Company shall hereafter be in the city of Toronto, in the province of Ontario, instead of the city of Montreal, in the province of Quebec.

Head office changed.  
1906, c. 57, s. 5.

**3.** This Act, and the Company, and the exercise of the powers conferred by its Act of incorporation and this Act, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which the said Act of incorporation or this Act is inconsistent with those Acts, the latter shall prevail.

Application of R.S., c. 34.





## 7-8 EDWARD VII.

### CHAP. 132.

#### An Act respecting the New Brunswick Southern Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the New Brunswick Southern Railway Company has by its petition represented that it was incorporated by chapter 74 of the statutes of 1901 of New Brunswick, and that certain other powers were conferred upon it by chapter 102 of the statutes of 1903 of New Brunswick, but inasmuch as the railway and works now owned and operated by the said company were constructed by a company incorporated by the Legislature of New Brunswick, and by a statute passed by the Parliament of Canada declared to be for the general advantage of Canada, it has hitherto been a matter of doubt whether the railway of the said company is a Dominion or a provincial railway, and it is deemed advisable that such doubt be removed; and whereas the said company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
N.B., 1901,  
c. 74;  
1903, c. 102;  
1889, c. 26.  
Can., 1895,  
c. 63.

**1.** In this Act, the expression “the Company,” means the body corporate and politic heretofore created by chapter 74 of the statutes of 1901 of New Brunswick, under the name of “The New Brunswick Southern Railway Company.”

Interpretation.

**2.** The railway which the Company, by the Acts mentioned in the preamble, has been empowered to construct, undertake and operate, is declared to be a work for the general advantage of Canada.

Declaratory.

**3.** Nothing in this Act, or in *The Railway Act*, shall invalidate any action heretofore taken by the Company pursuant to

Powers confirmed.

R. S., c. 37.

powers contained in the Acts mentioned in the preamble, and the powers and privileges granted by the said Acts are hereby confirmed, subject to the conditions and obligations imposed by the said Acts: Provided that hereafter *The Railway Act* shall apply to the Company and the said railway, to the exclusion of any of the provisions of the said Acts mentioned in the preamble which are inconsistent herewith and in lieu of any general Railway Act of the province of New Brunswick.

Power to  
construct  
bridge over  
St. Croix  
river.

4. At a point west of the public landing at the foot of King street, in the town of St. Stephen, to be approved by the Governor in Council, the Company may, for the purpose of connecting with the Washington County Railroad, in the state of Maine, one of the United States, construct, maintain and use a bridge over the St. Croix river, with all the necessary approaches, both for railway purposes and for the passage of pedestrians, vehicles, cars or carriages, propelled or drawn by electrical, horse or other motive power, and may lay tracks on the said bridge for the passage of railway and other cars, and may charge tolls for the passage of cars, vehicles and pedestrians over the said bridge, but no toll or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time.

Rights of  
railway  
companies  
to use of  
bridge.

5. Every railway company whose line has a terminus at any point at or near either end of the said bridge, or whose trains run to or from such point, or which runs its trains in connection with any railway having such terminus or running trains to or from such point, whether such company is incorporated by the Parliament of Canada, or by the legislature of any province of Canada, or by authority in the state of Maine, or by the Congress of the United States, shall have and be entitled to the same and equal rights and privileges in the passage of the said bridge, and in the use of the machinery and fixtures thereof, and of all of the approaches thereto, without discrimination or preference, upon such terms and conditions as are fixed by the Board of Railway Commissioners for Canada; and the said Board may make and enforce such orders for the purposes of carrying out the provisions of this section as it thinks necessary.

Appoint-  
ment of  
commission  
to regulate  
use of bridge.

6. If the state of Maine, or the United States, shall, at any time after the final completion of the bridge, provide for the appointment of a commission for regulating the working of the said bridge, the use thereof, and the compensation to be made therefor, and for settling any dispute in respect thereof, the Governor in Council may join in the appointment of the said commission on such terms as he thinks proper, and appoint one or more persons as members of the said commission, and



in the event of any such appointment, the said commissioners shall have the power hereby conferred on the Governor in Council.

7. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Government of Canada as respects the Intercolonial Railway of Canada, or with the Maine Central Railway Company, the Grand Trunk Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company and the Canadian Northern Railway Company, or any of them. Agreements with the Crown and with certain companies.

8. The said bridge shall be commenced within two years after the Governor in Council and the Executive of the United States, or other competent authority therein, has approved such bridging, and shall be completed within five years thereafter, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within five years after the passing of this Act, the powers granted for the construction of the said bridge shall cease and be null and void. When bridge to be commenced. Proviso.

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## 7-8 EDWARD VII.

### CHAP. 133.

#### An Act respecting the Niagara Grand Island Bridge Company.

[Assented to 17th March, 1908.]

**W**HEREAS the Niagara Grand Island Bridge Company has Preamble.  
by its petition prayed that it be enacted as hereinafter  
set forth, and it is expedient to grant the prayer of the said  
petition: Therefore His Majesty, by and with the advice and  
consent of the Senate and House of Commons of Canada, enacts  
as follows:—

**1.** The times limited by the Acts respecting the Niagara Time for  
construction  
of undertak-  
ing extended.  
Grand Island Bridge Company for the commencement and com-  
pletion of its undertaking, are hereby extended as follows:  
The work shall be commenced within two years after an Act  
of the Congress of the United States has been passed consenting  
to or approving of the construction, maintenance and operation  
of the bridge contemplated by the Company's Act of incorpora-  
tion, or within two years after the Executive of the United  
States, or other competent authority, has consented to or  
approved of such bridge, and shall be completed within five  
years after such commencement, otherwise the powers granted  
by this Act shall cease and be null and void as respects so  
much of the undertaking as then remains uncompleted: Pro-  
vided, however, that if such consent is not obtained within  
five years after the passing of this Act, the powers granted for  
the construction of the said work shall cease and be null and  
void.







## 7-8 EDWARD VII.

### CHAP. 134.

#### An Act respecting the Niagara, St. Catharines and Toronto Railway Company.

[Assented to 20th July, 1908.]

**W**HEREAS the Niagara, St. Catharines and Toronto Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

- 1.** The Niagara, St. Catharines and Toronto Railway Company may complete the railways which it has heretofore been authorized to construct, and put them in operation within five years after the passing of this Act; and if the said railways are not completed and put in operation within the said period the powers of construction conferred upon the said Company by Parliament shall cease and be null and void with respect to so much of the said railways as then remains uncompleted.

Time for completion of railways extended.
- 2.** The said Company shall not operate its railway as a street railway in any city or town without the consent, expressed by by-law, of the corporation of such city or town. This section shall not, however, be interpreted as impairing any consent already obtained in regard to any portion of the said railway already in operation.

Operation of street railway in city or town.
- 3.** The said Company shall not construct or operate its railway along any street or highway, or upon or along any public park, market, square, or other such public place in any municipality without the consent, expressed by by-law, of the said municipality: Provided, however, that the portion already constructed shall not be subject to the provisions of this section.

Crossings in municipalities.

1905, c. 132,  
and 1906,  
c. 132  
amended.

4. The following parts of Acts are repealed: Section 1 of chapter 132 of the statutes of 1905; subsection 2 of section 1, and section 4 of chapter 132 of the statutes of 1906.

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## 7-8 EDWARD VII.

### CHAP. 135.

#### An Act respecting the Nipissing Central Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Nipissing Central Railway Company has by Preamble.  
its petition prayed that it be enacted as hereinafter set 1907, c. 112.  
forth, and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent of  
the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 1 of chapter 112 of the statutes of 1907 is hereby New s. 1.  
repealed and the following substituted therefor:—

“**1.** James William Fitzpatrick and Edward J. Daly, Incorporation.  
both of the city of Ottawa, in the province of Ontario, George  
Ferdinand Duncan, of the city of Portland, in the state of  
Maine, one of the United States, the Honourable David MacKeen  
of the city of Halifax, in the province of Nova Scotia, Arthur  
George Browning of the town of North Bay, Herbert L. Dunn  
of the city of Toronto, George Taylor of the town of New  
Liskeard, and Michael J. O'Brien, of the town of Renfrew,  
in the province of Ontario, and Carlos M. Stone, of the city  
of Cleveland, in the state of Ohio, one of the United States,  
together with such persons as become shareholders in the com-  
pany, are incorporated under the name of ‘The Nipissing Central Corporate  
Railway Company,’ hereinafter called ‘the Company.’” name.

**2.** Section 3 of the said Act is hereby repealed and the follow- New s. 3.  
ing substituted therefor:—

“**3.** The capital stock of the Company shall be one million Capital stock.  
dollars. No one call thereon shall exceed ten per cent on the  
shares subscribed.”

**3.** The Nipissing Central Railway Company may commence Time for  
the construction of its railway, and expend fifteen per cent of construction  
the of railway  
extended

the amount of its capital stock thereon, within two years after the passing of this Act, and may complete its railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

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## 7-8 EDWARD VII.

### CHAP. 136.

#### An Act to incorporate the North Empire Fire Insurance Company.

[Assented to 16th June, 1908.]

**W**HEREAS the persons hereinafter named have by their Preamble.  
petition prayed that it be enacted as hereinafter set  
forth, and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent  
of the Senate and House of Commons of Canada, enacts as  
follows:—

**1.** Joseph Walsh, William Russell, Michael Long, Jabez Incorporation.  
Bowen Hugg and Robert McLeod Campbell, all of Winnipeg,  
in the province of Manitoba, together with such persons as  
become shareholders in the company, are incorporated under  
the name of "The North Empire Fire Insurance Company," Corporate name.  
hereinafter called "the Company."

**2.** The persons named in section 1 of this Act shall be the Provisional directors.  
provisional directors of the Company, the majority of whom  
shall be a quorum, and they may forthwith open stock books,  
procure subscriptions of stock for the undertaking, make calls  
on stock subscribed and receive payments thereon, and shall  
deposit in a chartered bank in Canada all moneys received by Powers.  
them on account of stock subscribed or otherwise received  
by them on account of the Company, and shall withdraw the  
same for the purposes only of the Company, and may do gener-  
ally what is necessary to organize the Company.

**3.** The capital stock of the Company shall be one million Capital stock.  
dollars, divided into shares of one hundred dollars each.

**2.** The shares of the capital stock subscribed for shall be paid Payment for shares.  
for by such instalments and at such times and places as the  
directors

directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice of any call shall be given.

**Head office.**     **4.** The head office of the Company shall be in the city of Winnipeg, in the province of Manitoba, but local advisory  
**Agencies.**     boards or agencies may be established and maintained elsewhere, in such manner as the directors from time to time direct.

**First general meeting.**     **5.** So soon as two hundred thousand dollars of the capital stock have been subscribed, and twenty-five per cent of that amount paid in to some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Winnipeg, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than seven nor more than twenty-five directors, of whom a majority shall be a quorum.

**Election of directors.**

**Qualification.**     **2.** No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock, and has paid all calls due thereon and all liabilities incurred by him to the Company.

**Annual meeting.**     **6.** A general meeting of the Company shall be held at the head office once in each year after the organization of the Company and commencement of business; and at such meeting a statement of the affairs of the Company shall be submitted.

**Special general meetings.**     **2.** Special general meetings may at any time be called by any five of the directors or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.

**Notice of meeting.**     **3.** Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders, mailed at least twenty days before the day for which the meeting is called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

**Business of Company.**     **7.** The Company may make and effect contracts of insurance against loss or damage by fire or lightning in or to any house, dwelling, store or other building whatsoever, and to any goods, chattels, bridges, railway plant or personal estate whatsoever, for such time and for such premiums or considerations and under such modifications and restrictions and upon such conditions as are agreed upon between the Company and the insured; and the Company may generally carry on the business of fire insurance in all its branches, including the right to cause itself to be re-insured against any risk it may have undertaken, and to re-insure any other person against risks which such person may have undertaken.

8. The Company may invest or deposit such portion of its funds in foreign securities as is necessary for the maintenance of any foreign branch. Investment in foreign securities.

9. The Company may acquire and dispose of any real property required in part or wholly for the use and accommodation of the Company; but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of Manitoba, where it shall not exceed ten thousand dollars. Real property.

10. The Company shall not commence the business of insurance until two hundred and fifty thousand dollars of the capital stock have been subscribed and at least one hundred thousand dollars have been paid thereon in cash, into the funds of the Company, to be appropriated only for the purposes of the Company under this Act: Provided that the sum paid by any shareholder which is less than ten per cent of the amount subscribed by such shareholder shall not be reckoned as part of the said one hundred thousand dollars: Provided also that in each succeeding year, for five years after the commencement of business, a further sum of fifteen thousand dollars shall be paid annually in cash upon the capital stock of the Company. When business may be commenced. Payments on capital.

11. This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail. Application of Insurance Acts. Conflicting provisions.

12. Part II. of *The Companies Act*, except sections 125, 134, 141, 158 and 165 thereof, shall apply to the Company in so far as it is not inconsistent with any of the provisions of *The Insurance Act* or of any general Act relating to insurance passed during the present session of Parliament, or of this Act. R.S., c. 79.







## 7-8 EDWARD VII.

### CHAP. 137.

An Act respecting the merger of the Northern Bank and the Crown Bank of Canada, under the name of the Northern Crown Bank.

[Assented to 16th June, 1908.]

WHEREAS a joint petition has been presented by the Northern Bank and the Crown Bank of Canada praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1903, c. 168;  
1902, c. 57.

1. The name of the Northern Bank is hereby changed to "The Northern Crown Bank," on and from the second day of July, 1908.

Change of name.  
1903, c. 168,  
s. 1  
amended.

2. The agreement for merger between the Northern Bank and the Crown Bank of Canada bearing date the twelfth day of February, 1908, which is set forth as the schedule to this Act, is hereby amended by substituting the words "second day of July, 1908," for the words "first day of April, 1908," where the words occur in the said agreement, which, as so amended, is hereby sanctioned and confirmed and made binding upon the said two banks and the shareholders of the said two banks, respectively.

Agreement for merger confirmed.

3. This Act shall for all purposes take the place of and be equivalent to approval by the Governor in Council of the said agreement under *The Bank Act* as of the second day of July, 1908, which approval is hereby dispensed with.

Approval of agreement.

4. From and after the completion of the merger of the said banks under the said agreement, the provisions of *The Bank Act* shall

R. S., c. 29.  
shall

shall in all respects apply to the said Northern Crown Bank, superseding all the provisions of the said agreement except clause seven thereof.

Property of  
banks to vest  
in Northern  
Crown Bank  
upon merger.

5. The merger of the said banks shall, on and from the second day of July, 1908, vest all property, real and personal, and all rights incidental thereto and all contracts, agreements, debts, obligations and choses in action belonging to the Northern Bank and the Crown Bank of Canada respectively in the Northern Crown Bank, subject however to all liens thereupon and to the debts and liabilities of the said banks respectively, but such merger and change of names shall not, as to either of the said banks, in any way impair, alter or affect the rights or liabilities of either bank, nor in any wise affect any suit or proceeding now pending, or judgment existing either by, or in favour of, or against either bank, which, notwithstanding such merger and change of name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

#### SCHEDULE.

##### MEMORANDUM OF AGREEMENT BETWEEN

THE NORTHERN BANK,

Party of the First Part;

AND

THE CROWN BANK OF CANADA,

Party of the Second Part.

WHEREAS the Party of the First Part is established in business in the Western Provinces of Canada and has no Branch Offices East of Lake Superior, and the Party of the Second Part has an established business throughout the greater portion of Ontario and has no Branch Offices West of Lake Superior, and each Party is desirous of extending its operations to those portions of the Dominion where it is not represented, but neither Party is desirous of doing so by duplicating branches in places where the banking facilities are ample for the accommodation of the public, and each Party to this agreement is of the belief that it will be to the mutual advantage of the shareholders interested that the two institutions should amalgamate for the purpose of enabling them to extend their respective businesses in the manner indicated.

AND WHEREAS the organization of the Party of the First Part is already in such shape as will enable it to carry out the amalgamation which it is proposed to effect under the terms and conditions of Chapter 29, Section 99 and following Sections of the Bank Act, providing for the purchase of the assets of a bank without applying to Parliament for any Special Act to perfect the consolidation.

AND WHEREAS it appears to the Directors of both these Institutions that it will be to the interests of the stockholders and of all concerned to avail themselves of the provisions of the above Act,

NOW THEREFORE IT IS AGREED THAT:—

1. The Party of the First Part will agree to purchase the assets of the Party of the Second Part in the manner provided for such proceeding in the Bank Act, Section 99 and the following Sections, and will allot to the shareholders of the Party of the Second Part shares of stock in the Party of the First Part to the same extent as their present holdings in the stock of the Party of the Second Part.

2. The Party of the First Part agrees to assume and pay all the liabilities of the Party of the Second Part to be taken as of the first day of April, 1908, and from and after the sanction of this agreement by the Governor General in Council, shall for all purposes be taken to have assumed and to be liable to pay the same as of the date last mentioned.

3. The Party of the First Part agrees to assume and pay the notes of the Party of the Second Part issued and intended for circulation outstanding and in circulation.

4. An examination of the affairs and condition of each Party to this agreement shall be made by a representative or representatives appointed by each Party to the transaction for the examination of the condition of the other Party to the agreement.

5. If the valuation of the assets of each of the Parties be agreed to by the representatives of both Parties, then their decision as to such value shall be accepted as final by both parties.

6. In the event of the representatives of either Party being unable to agree with the representatives of the other party as to the valuation of any particular asset or assets, then the Presidents respectively of the two Banks, or such nominee as may be delegated by either in his place, being a Director of the Institution which he represents, shall act as joint referees for the consideration of the matters in dispute, and if they agree upon a basis of settlement, their decision shall be final. If they are unable to agree upon a valuation, then they shall jointly appoint a referee to determine the question at issue, and the decision of such referee shall be final.

7. In the event of the assets of either party to the agreement being found to bear a greater percentage of value in proportion to the amount of its Paid-up Capital Stock than do the assets of the other Party to the agreement, then said Party shall be at liberty to declare a Stock Dividend to its shareholders to represent such excess percentage. Such Stock Dividend shall be applicable and be applied only in payment up of such shares of new stock of the amalgamated Bank to be issued to raise its share Capital to \$3,000,000.00 (three million dollars) as the shareholder entitled to the Stock Dividend may be entitled to



under the terms upon which the said issue of new shares shall hereafter be made.

8. The title to be adopted by the United Institutions shall be "The Northern Crown Bank" or other suitable title to be mutually agreed upon. Application to be made to Parliament by the Parties to this agreement to obtain authority to make such change.

9. The Head Office and Chief Executive Office of the consolidated institution to be in the City of Winnipeg.

10. The first President of the united interests to be the present President of the Party of the First Part.

11. The Party of the First Part will agree to pass a By-law at its next Annual Meeting increasing the number of its Directors sufficiently to enable it to add to its Board all of the present members of the Board of the Party of the Second Part or as many as may be mutually agreed upon, not exceeding the present number.

12. There shall be a Vice-President in the City of Toronto and a Vice-President in the City of Winnipeg.

13. The Vice-President for the Province of Ontario shall be nominated by the Directors elected for that Province with the understanding that the said Directors will limit their choice to a resident of the City of Toronto.

14. The Chief Executive Officer of the Party of the First Part to be the Chief Executive Officer of the combined interests and the Chief Executive Officer of the Party of the Second Part to be Assistant Chief Executive Officer of the united institution.

15. The Party of the Second Part will undertake to see that its principal shareholders will agree to accept the shares of stock which it is intended shall be allotted to them as provided for in Section 100 of the Bank Act, Sub-Section 3.

16. Each Party to this agreement will agree to submit to its shareholders at its next Annual General Meeting the proposal which it is intended to carry out as provided for in Section 101 of the Bank Act.

17. The goodwill of the two institutions is to be taken on an equal basis.

18. The present Directors of both Parties will agree to serve the combined Institution as Directors, if required, for at least one year after the transaction is completed.

For the Northern Bank,

D. H. McMILLAN, President.

J. W. DE C. O'GRADY, Gen. Manager.

For the Crown Bank of Canada,

CHARLES MAGEE, Vice-President

G. DE C. O'GRADY, Gen. Manager.





## 7-8 EDWARD VII.

### CHAP. 138.

#### An Act to incorporate the Northern Empire Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House  
of Commons of Canada, enacts as follows:—

**1.** Henry Roy and Robert Balfour, both of the city of Incorporation.  
Ottawa, in the province of Ontario; Joseph J. B. Gosselin, of  
Notre Dame de Stanbridge, in the province of Quebec; Jules J.  
Fleutot, of the town of Frank, in the province of Alberta; and  
Edward Hoffman, of the city of New York, in the state of New  
York, one of the United States; together with such persons as  
become shareholders in the company, are incorporated under  
the name of "The Northern Empire Railway Company," here-  
inafter called "the Company." Corporate name.

**2.** The persons named in section 1 of this Act are consti- Provisional directors.  
tuted provisional directors of the Company.

**3.** The capital stock of the Company shall be four million Capital stock.  
dollars. No one call thereon shall exceed ten per cent on the  
shares subscribed.

**4.** The head office of the Company shall be in the town of Head office.  
Edmonton, in the province of Alberta.

**5.** The annual meeting of the shareholders shall be held on Annual meeting.  
the first Thursday in September.

**6.** The number of directors shall be not less than five, nor Directors.  
more than nine, one or more of whom may be paid directors.

Line of  
railway  
described.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on the international boundary east of Cardston, in the province of Alberta, in range 20, 21, 22 or 23 of township one west of the fourth meridian, thence in a northerly direction through the city of Lethbridge to Fort McMurray, thence in a generally northwesterly direction, passing through or near Fort Vermilion, to a point on the boundary between the province of British Columbia and the Yukon Territory at or near Lower Post in the province of British Columbia, thence in a generally northwesterly direction through the Yukon Territory by way of Dawson City to a point where the Yukon crosses the international boundary between the Yukon Territory and Alaska; and also a branch line from a point on the main line east of Victoria, in the province of Alberta, following generally the north bank of the North Saskatchewan river to the city of Edmonton, in the province of Alberta.

Issue of  
securities.

8. The securities issued by the Company shall not exceed thirty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements  
with other  
companies.

9. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company, or any of them.

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## 7-8 EDWARD VII.

### CHAP. 139.

#### An Act respecting the Occidental Fire Insurance Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Occidental Fire Insurance Company has by Preamble.  
its petition represented that it was incorporated by an  
Act of the Legislature of the province of Manitoba, chapter 65 Man. 1902,  
cc. 65, 66;  
of the statutes of 1902, and that it has since the first day of 1905, c. 64.  
May, A.D. 1902, carried on the business of fire insurance in the  
province of Manitoba; and whereas the said company has by  
its petition prayed that it be enacted as hereinafter set forth,  
and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent of  
the Senate and House of Commons of Canada, enacts as fol-  
lows:—

**1.** The shareholders of the Occidental Fire Insurance Com- Incorporation.  
pany, hereinafter called "the old company," with such persons  
as become shareholders in the company hereby incorporated,  
are hereby incorporated under the name of "The Occidental Corporate  
Fire Insurance Company," hereinafter called "the new com- name.  
pany."

**2.** The capital stock of the new company shall be five hundred Capital.  
thousand dollars, divided into five thousand shares of one Shares.  
hundred dollars each.

**3.** Each shareholder of the old company is hereby declared Shares  
to be the holder of as many shares in the new company as he allotted.  
holds in the old company, but only the sums which have been  
or are hereafter paid by such shareholder on the issued shares  
of the old company, shall be credited as paid on the shares of  
capital stock of the new company. The liability of a share- Liability of  
holder of the new company upon the said shares of the new shareholders.  
company



company so held by him shall amount per share only to the difference between the sums so credited as paid upon each share and one hundred dollars.

Liability of  
shareholders  
of old  
company.

**4.** Nothing in this Act shall affect the liability of shareholders of the old company who have not paid the calls already made upon the shares of the old company to pay the said calls; and nothing in this Act shall be so construed as to lessen the liability of the shareholders of the old company to the present creditors or to the present policy-holders of the old company: Provided, however, that any payment made upon the shares of the new company shall reduce the liability of the shareholders of the old company by the amount of such payment.

Proviso.

New  
company  
liable for old  
company's  
obligations.

**5.** The new company shall be liable for and subject to, and shall pay, discharge, carry out and perform all the debts, liabilities, obligations and contracts of the old company; and any person having any claim, demand, right, cause of action or complaint against the old company, or to whom the old company is under any obligation, liability or contract, shall have the same rights and powers with respect thereto, and to the collection and enforcement thereof from and against the new company, as such person has against the old company: Provided, however, that the shareholders of the new company shall not be individually liable under section 150 of *The Companies Act* in respect to their shares in the new company to such persons unless such persons abandon their rights in respect of their shares in the old company.

Proviso.

R.S., c. 79.

Property  
of old  
company  
vested in  
new  
company.

**6.** All the assets, rights, effects and properties, real, personal and mixed, of whatever kind and wheresoever situate, belonging to the old company which it may be or may become entitled to, shall be vested in the new company, subject to existing mortgages or liens, if any, upon due execution of an indenture in the form contained in the schedule to this Act, or to the like effect.

Calls on  
shares.

**7.** The directors may, from time to time, make such calls as they think fit upon the shareholders in respect of all moneys unpaid on the shares of the new company held by them respectively. Such calls shall be payable at such times and places and in such payments or instalments as the directors appoint: Provided that no call shall exceed ten per cent, and that not less than thirty days' notice of any call shall be given.

Proviso.  
amount and  
notice.

Officers.  
Directors.

By-laws.

**8.** The president, vice-president and directors of the old company shall continue to be such in the new company until their successors are appointed; and all by-laws, rules and regulations of the old company not contrary to law or not inconsistent with this Act shall be the by-laws, rules and regulations



of the new company until amended or repealed under the provisions of this Act.

**9.** The affairs of the new company shall be managed by a board of not less than five or more than nine directors, a majority of whom shall be a quorum. No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock of the new company and has paid all calls due thereon and all liabilities incurred by him to the new company.

Board of directors.

Qualification.

**10.** The head office of the new company shall be in the village of Wawanesa, in the province of Manitoba, but local advisory boards or agencies may be established and maintained either within Canada or elsewhere, in such manner as the directors may from time to time direct.

Head office.

Local agencies.

**11.** A general meeting of the new company shall be called once in each year at its head office, and at every such meeting a statement of the affairs of the new company shall be submitted by the directors. Special general meetings may be called by any three of the directors or by requisition of any twenty-five shareholders specifying in the notice the object of such meeting; and notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called and addressed to the addresses of the shareholders, respectively, given in the books of the company.

General meetings.

**12.** The new company may make and effect contracts of insurance, throughout Canada and elsewhere, with any person against damage by fire, wind storm or lightning in or to any house, dwelling, store, factory, mill or other building whatsoever, or to any goods, chattels, bridges, railway plants or personal estate whatsoever, for such time, for such premiums or considerations, and upon such modifications, restrictions and conditions as are agreed upon between the new company and the insured, and, generally, may carry on the business of fire insurance in all its branches and forms.

Business powers.

2. The new company may also cause itself to be insured against any risk it may undertake in the course of its business.

Re-insurance.

3. The new company may also undertake the reinsurance of the risks of other companies.

**13.** The new company may acquire and hold real estate required in part or whole for the use and accommodation of the new company, and may sell, convey, mortgage, lease or otherwise dispose of the same and acquire other property in its place as may be deemed expedient; but the annual value of such property

Real estate.

property held in any province of Canada shall not exceed five thousand dollars, except in the province of Manitoba where it shall not exceed ten thousand dollars.

**Application of R.S., c. 79.** **14.** Part II. of *The Companies Act*, except sections 125, 134, 141, 158 and 165 thereof, in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act* or of any general Act relating to insurance passed during the present session of Parliament, or of this Act, shall apply to the company.

**Application of R.S., c. 34.** **15.** This Act and the Company hereby incorporated and the exercise of the powers hereby conferred shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail.

**Annual payment upon capital stock.** **16.** In each year for five years after the issue of a license to the new company under *The Insurance Act* a sum of fifteen thousand dollars shall be paid annually in cash upon the capital stock of the new Company.

**Conditions of operation of Act.** **17.** This Act shall not take effect unless and until accepted and approved of by a vote of not less than two-thirds in value of the shareholders of the old company present or represented by proxy at a special general meeting of the old company duly called for the purpose of considering this Act; and, if so accepted and approved of, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said vote.

**Notice.** 2. Notice of such acceptance and approval and of the day so fixed shall be published by the Company in *The Canada Gazette*.

## SCHEDULE.

This indenture made the                      day of                      , 190 , between The Occidental Fire Insurance Company, incorporated by Act of the Legislature of the Province of Manitoba, of the first part, hereinafter called "the old company" and The Occidental Fire Insurance Company, incorporated by an Act of the Parliament of Canada, of the second part, hereinafter called "the new company."

Whereas the shareholders of the old company have accepted and approved of the new company's Act of incorporation, being chapter 139 of the statutes of Canada of 1907-8, intituled "An Act respecting the Occidental Fire Insurance Company," and by the resolutions of shareholders duly passed in that behalf the                      day of                      was fixed as the date from which the said Act should take effect;

And whereas by the said Act the new company is authorized to acquire all the assets, rights, credits, effects and property, real, personal and mixed, of the old company, and whereas the old company has agreed to convey the same to the new company;

Now this indenture witnesseth: That, in consideration of the said Act and of the shares in the capital stock of the new company which are hereby vested in the shareholders of the old company, and in consideration of the covenants by the new company hereinafter contained, the old company hereby grants, assigns, transfers and sets over unto the new company, its successors and assigns, for ever, all the assets, rights, credits, effects and property, real, personal and mixed, of whatever kind and wheresoever situated, belonging to the old company or to which it is or may be or may become entitled. To have and to hold unto the new company, its successors and assigns, to and for its sole and only use; and the old company covenants with the new company to execute and deliver at the expense of the new company all such further and other separate and formal assurances, assignments, transfers and conveyances for registration purposes or otherwise, as may be required to vest in the new company, its successors and assigns, the full legal and beneficial title and interest to and in the said assets, rights, credits, effects and property, and each and every part thereof.

And in consideration of the foregoing the new company covenants with the old company, its successors and assigns, that it shall and will discharge, carry out and perform all debts, liabilities, obligations and contracts for or in respect of which the old company is now liable, or which it should pay, discharge, carry out or perform, and the new company shall and will indemnify and save harmless the old company in respect thereof.







## 7-8 EDWARD VII.

### CHAP. 140.

#### An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Ottawa, Brockville and St. Lawrence Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1900, c. 71;  
1902, c. 88;  
1904, c. 109;  
1906, c. 137.

**1.** Section 2 of chapter 137 of the statutes of 1906 is repealed. 1906, c. 137, s. 2 repealed.

**2.** The railway of the Ottawa, Brockville and St. Lawrence Railway Company may be commenced, and fifteen per cent of the capital stock expended thereon, within two years after the seventh day of July, one thousand nine hundred and eight, and the railway may be completed and put in operation within five years after the seventh day of July, one thousand nine hundred and eight; and if the railway is not commenced and such expenditure is not made, or if the railway is not completed and put in operation within the said respective periods, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void, as respects so much of the railway as then remains uncompleted.

Time for  
construction  
extended.

**3.** The said Company shall not construct or operate its railway along any highway or public place without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place and upon terms to be agreed on with such municipality.

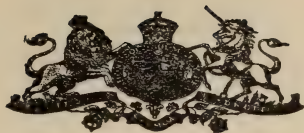
Consent of  
municipali-  
ties.

Saving as to  
municipal  
electric plant.

**4.** The said Company shall not sell, dispose of, or distribute electric power or energy within, or for use within, the limits of any city or town which owns and operates its own electric lighting or power plant without the consent by by-law of the council of such municipality.

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most Excellent Majesty.



## 7-8 EDWARD VII.

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### CHAP. 141.

#### An Act respecting the Owen Sound and Meaford Railway Company.

*[Assented to 3rd April, 1908.]*

**W**HEREAS the Owen Sound and Meaford Railway Company Preamble.  
has by its petition prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the 1905, c. 144.  
said petition: Therefore His Majesty, by and with the advice  
and consent of the Senate and House of Commons of Canada,  
enacts as follows:—

**1.** The Owen Sound and Meaford Railway Company may Time for  
construction  
of railway  
extended.  
commence the construction of its railway, and expend fifteen  
per cent of the amount of its capital stock thereon, within two  
years after the passing of this Act, and may complete its rail-  
way and put it in operation within five years after the passing  
of this Act; and if the said railway is not so commenced and  
such expenditure is not so made, or if the said railway is not  
completed and put in operation, within the said periods respec-  
tively, the powers of construction conferred upon the said Com-  
pany by Parliament shall cease and be null and void as respects  
so much of the said railway as then remains uncompleted

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most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 142.

#### An Act respecting the Pacific and Atlantic Railway Company.

[Assented to 16th June, 1908.]

**WHEREAS** the Pacific and Atlantic Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

Ont.  
1886, c. 76;  
1900, c. 120;  
1902, c. 89;  
1905, c. 104.  
Can.  
1906, c. 138.

**1.** The Pacific and Atlantic Railway Company, hereinafter called "the Company," may commence the construction of its railway, referred to in section 1 of chapter 138 of the statutes of 1906, and expend fifteen per cent on the amount of the capital stock thereon, within two years after the passing of this Act, and may complete the railway and put it in operation within five years after the passing of this Act, and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Time for  
construction  
of railway  
extended.

**2.** Section 2 of chapter 138 of the statutes of 1906 is repealed.

1906, c. 138,  
s. 2 repealed.

**3.** Notwithstanding anything contained in chapter 138 of the statutes of 1906, the provisions contained in chapter 76 of the statutes of Ontario of 1886, and in chapter 120 of the statutes of Ontario of 1900, respecting provisional directors, their rights, powers and duties, the organization of the Company up to and including the first election of directors thereof, shall be deemed to have continued to apply, and shall apply, to the Company.

Application  
of Ontario  
statutes  
in certain  
matters.

Directors and  
officers.

**4.** The directors and officers of the Company, lawfully elected or appointed under the authority of any Act of the legislature of the province of Ontario relating to the Company, shall be deemed to have continued to be, and shall continue to be, directors and officers of the Company until their successors are elected or appointed under the provisions of *The Railway Act*.

R. S., c. 34.

Route of  
railway.

**5.** The Company may build a branch line of railway so as to connect its line of railway with any railway bridge which may be built across the St. Mary's river, at or near Sault Ste. Marie, in the district of Algoma.

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most Excellent Majesty.



## 7-8 EDWARD VII.

### CHAP. 143.

#### An Act respecting the Pacific Coast Fire Insurance Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Pacific Coast Fire Insurance Company has Preamble.  
by its petition represented that it was incorporated by  
chapter 54 of the statutes of 1890 of the province of British B.C.,  
Columbia, and that the said Act was amended by chapter 61 1890, c. 54;  
1906, c. 61.  
of the statutes of 1906 of the said province, and that the said  
company has, since the date of its incorporation, carried on the  
business of fire insurance in the said province; and whereas the  
said company has prayed that it be enacted as hereinafter set  
forth, and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent of  
the Senate and House of Commons of Canada, enacts as  
follows:—

**1.** The shareholders of the company mentioned in the pre- Incorporation.  
amble, hereinafter called “the old Company,” together with  
such persons as become shareholders in the company incor-  
porated by this Act, are incorporated under the name of “The Corporate  
Pacific Coast Fire Insurance Company,” hereinafter called “the name.  
new Company.”

**2.** The capital stock of the new Company shall be one million Capital stock  
dollars, divided into shares of one hundred dollars each.

**3.** The shareholders of the old Company are hereby declared Shares in old  
to be holders respectively of as many shares in the new Com- and new  
pany as they are holders respectively of shares in the old Com- Companies.  
pany, but only the sums which have been, or may hereafter be,  
paid by such shareholders respectively on the issued shares of  
the old Company shall be credited as paid on the shares of the  
new Company.

Liability of  
shareholders  
in new  
Company.

2. The liability of the shareholders of the new Company upon the said shares in the new Company so held by them respectively shall amount per share only to the difference between the sum so paid upon each share and one hundred dollars.

Liability of  
shareholders  
of old  
Company to  
pay calls.

3. Nothing in this Act shall affect the liability of the shareholders of the old Company, who have not paid the calls already made upon the shares of the old Company, to pay the said calls.

Liability of  
shareholders  
of old  
Company to  
creditors and  
policy-  
holders.

4. Nothing in this Act shall be so construed as to lessen the liability of the shareholders of the old Company to the present creditors or to the present policy-holders of the old Company: Provided, however, that any payment made upon the shares of the new Company shall reduce the said liability of the shareholders of the old Company by the amount of such payment.

Liability of  
new  
Company.

5. The new Company shall be liable for and subject to and shall pay, discharge, carry out and perform all the debts, liabilities, obligations and contracts of the old Company, and any person having any claim, demand, right, cause of action or complaint against the old Company, or to whom the old Company is under any obligation, liability or contract, shall have the same rights and powers in respect thereto, and to the collection and enforcement thereof, from and against the new Company and its shareholders as such person has against the old Company and its shareholders: Provided, however, that any person who recovers under section 150 of *The Companies Act* in respect of any shares in the new Company shall be held to have abandoned *pro tanto* his right to recover in respect of the corresponding shares in the old Company.

Proviso.

Assets, etc.,  
of old  
Company  
vested in new  
Company.

6. All the assets, rights, effects and properties, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to the old Company, or to which it is, or may be, or may become, entitled, shall be vested in the new Company upon due execution of the indenture in the schedule to this Act, but shall remain subject to existing mortgages or liens, if any.

Calls on  
shares.

7. The directors may, from time to time, make such calls as they think fit upon the shareholders in respect of all moneys unpaid on the shares in the new Company held by them respectively. Such calls shall be payable at such times and places and in such payments or instalments as the directors appoint: Provided that no call shall exceed ten per cent and that not less than thirty days' notice of any call shall be given.

Continuance  
of officers and  
by-laws.

8. The president, vice-president and directors of the old Company shall continue to be such in the new Company until their successors are appointed, and all by-laws, rules and regula-



tions of the old Company, not contrary to law or inconsistent with this Act, shall be the by-laws, rules and regulations of the new Company until amended or repealed in pursuance of the provisions of this Act.

**9.** The affairs of the new Company shall be managed by a Directors. board of not less than seven nor more than twenty-five directors, as the by-laws prescribe, a majority of whom shall be a quorum.

**2.** No person shall be a director unless he holds in his own Qualification. name and for his own use at least twenty-five shares of the capital stock of the new Company, and has paid all calls due thereon, and all liabilities incurred by him to the new Company.

**10.** The head office of the new Company shall be in the city Head office. of Vancouver, in the province of British Columbia, but local advisory boards or agencies may be established and maintained either within Canada or elsewhere, in such manner as Agencies. the directors from time to time direct.

**11.** A general meeting of the new Company shall be called Annual meeting. once in each year at its head office, and at such meeting a statement of the affairs of the new Company shall be submitted by the directors. Special general meetings may be called by any five of the directors or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting; Special meetings. and notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called, and addressed to the addresses of the shareholders respectively given in the books of the Company.

**12.** The new Company may make contracts of insurance, Business. throughout Canada and elsewhere with any person, against loss or damage by fire or lightning in or to any house, dwelling, store, factory, mill or other building, and to any goods, chattels, bridges, railway plant or personal estate, for such time and for such premiums or considerations and upon such modifications and restrictions, and upon such conditions, as are agreed upon between the new Company and the insured, and generally carry on the business of fire insurance and the business of inland transportation insurance as defined in *The Insurance Act*, in all their branches and forms.

**2.** The new Company may also cause itself to be insured Re-insurance. against any risk it may have taken in the course of its business.

**3.** The new Company may also undertake the re-insurance Risks of other companies of the risks of other companies.

**13.** The new Company may invest or deposit such proportion of its funds in foreign securities as is necessary for the Investment in foreign securities. maintenance of any foreign branch.

Real  
property

**14.** The new Company may acquire, hold, convey, mortgage, lease or otherwise dispose of any real property in part or wholly for the purposes, use or occupation of the new Company, but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of British Columbia where it shall not exceed ten thousand dollars.

Increase of  
capital before  
license.

**15.** Before obtaining the license required by *The Insurance Act*, the subscribed capital of the new Company shall be increased from one hundred and fifty thousand dollars (the present subscribed capital of the old Company) to at least two hundred and fifty thousand dollars.

Application  
of Insurance  
Acts.

**16.** This Act, and the new Company, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act* and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which any provision of this Act is inconsistent with those Acts, the provision made by those Acts shall prevail.

Conflicting  
provisions.

R.S., c. 79.

**17.** Part II. of *The Companies Act*, except sections 125, 126, 134, 141, 158 and 165 thereof, shall apply to the new Company, and shall be incorporated with and form part of this Act, in so far as it is not inconsistent with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act.

Commence-  
ment of Act.

**18.** This Act shall not take effect unless and until accepted and approved of by a vote of not less than three-fourths in value of the shareholders of the old Company present or represented by proxy at a special general meeting of the old Company, duly called for the purpose of considering this Act; and if so accepted and approved of, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said vote.

Publication  
of notice.

2. Notice of such acceptance and approval, and of the day so fixed, shall be published by the Company in *The Canada Gazette*.

## SCHEDULE.

This indenture, made the                      day of                      , 190    , between the Pacific Coast Fire Insurance Company, incorporated by chapter 54 of the statutes of 1890 of British Columbia, which Act was amended by chapter 61 of the statutes of 1906 of British Columbia, of the first part, hereinafter called "the old Company," and the Pacific Coast Fire Insurance Company, incorporated by chapter 143 of the statutes of 1908 of Canada, of the second part, hereinafter called "the new Company."

Whereas the shareholders of the old Company have accepted and approved of the new Company's said Act of incorporation, intituled "An Act respecting the Pacific Coast Fire Insurance Company," and, by the resolutions of the shareholders duly passed in that behalf, the                      day of                      190                      , was fixed as the date from which the said Act should take effect;

And whereas by the said Act the new Company is authorized to acquire all the assets, rights, credits, effects and property, real, personal and mixed, of the old Company;

And whereas the old Company has agreed to convey and assign the same to the new Company;

Now this indenture witnesseth: That in consideration of the said Act and of the shares in the capital stock of the new Company, which are thereby vested in the shareholders of the old Company, and in consideration of the covenants by the new Company hereinafter contained, the old Company hereby grants, assigns, transfers and sets over unto the new Company, its successors and assigns, forever, all the assets, rights, credits, effects and property, real, personal and mixed, of whatever kind and wheresoever situated, belonging to the old Company, or to which it is or may become entitled: To have and to hold unto the new Company, its successors and assigns, to and for its sole and only use forever; and the old Company covenants with the new Company to execute and deliver, at the expense of the new Company, all such further and other separate and formal assurances, assignments, transfers and conveyances, for registration purposes or otherwise, as may be required to vest in the new Company, its successors and assigns, the full, legal, equitable and beneficial title and interest to and in the said assets, rights, credits, effects and property, and each and every part thereof.

And in consideration of the foregoing, the new Company covenants with the old Company, its successors and assigns, that it shall and will pay, discharge, carry out and perform all debts, liabilities, obligations and contracts for or in respect of which the old Company is now liable or which it should pay, discharge, carry out or perform, and the new Company shall and will indemnify and save harmless the old Company in respect thereof.







## 7-8 EDWARD VII.

### CHAP. 144.

#### An Act for the relief of Ada Katurah Stewart Paulding.

[Assented to 20th July, 1908.]

**W**HEREAS Ada Katurah Stewart Paulding, presently residing in the city of Toronto, in the province of Ontario, wife of Frederick William Paulding, of the said city, clerk, has by her petition alleged, in effect, that they were lawfully married on the ninth day of June, A.D. 1906, at the city of New York, in the state of New York, one of the United States of America, she then being Ida Lemay; that the legal domicile of the said Frederick William Paulding was then and is now in Canada; that at the said city of Toronto, in the month of November, A.D. 1907, and for some time previous thereto, he committed adultery with one Hattie Campbell; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of the said petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

**1.** The said marriage between Ada Katurah Stewart Paulding and Frederick William Paulding, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Marriage dissolved.

**2.** The said Ada Katurah Stewart Paulding may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Frederick William Paulding had not been solemnized.

Right to marry again.





## 7-8 EDWARD VII.

### CHAP. 145.

#### An Act respecting the Phoenix Assurance Company, Limited.

[Assented to 20th July, 1908.]

**W**HEREAS the Phoenix Assurance Company, Limited, hereinafter referred to as "the Company," is a company duly incorporated under the laws of the United Kingdom of Great Britain and Ireland, and is by its memorandum and articles of association authorized among other things to carry on the business of fire and life assurance; and whereas the Company has been for many years and now is carrying on the business of fire insurance in Canada; and whereas the Pelican and British Empire Life Office, hereinafter referred to as "the Life Office," is also a company duly incorporated under the laws of the said United Kingdom, and is by its memorandum and articles of association authorized among other things to carry on the business of life insurance; and whereas the Life Office has been for many years and now is carrying on the business of life insurance in Canada; and whereas by agreement duly ratified by order of the High Court of Justice for England under the provisions of the Imperial statute in that behalf, the Life Office has agreed to transfer to the Company the undertaking and business of the Life Office, which transfer the Company has agreed to accept; and whereas it is desirable that special provision should be made for the licensing of the Company to carry on in Canada, in addition to its fire insurance business, the business of the Life Office acquired or contracted by or belonging to the Life Office and included in the transfer aforesaid: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Notwithstanding anything contained in *The Insurance Act*, a license may be granted to the Company to carry on in Canada in addition to its fire insurance business the aforesaid existing business of the Life Office.

License to carry on the business of the Pelican and British Empire Life Office.

Life insurance  
business and  
fire insurance  
business to  
be kept  
separate.

R. S. c. 34.

2. The Company shall keep its life insurance business and its funds attributable thereto separate and distinct from its fire insurance business and the funds attributable thereto, in a manner satisfactory to the Superintendent of Insurance and to the Treasury Board, and shall comply with the requirements of sections 14 to 20, both inclusive, of *The Insurance Act* in respect of each of the said branches of its business respectively, as fully as if the same were being carried on by two separate and distinct companies.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 146.

#### An Act respecting the Pontiac Central Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Pontiac Central Railway Company has by its petition represented that it was incorporated by chapter 85 of the statutes of 1907 of Quebec, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble

Que. 1907,  
c. 85.

**1.** The railway of the Pontiac Central Railway Company, hereinafter called "the Company," is declared to be a work for the general advantage of Canada.

Declaratory.

**2.** The Company may extend its line from Bryson or Portage du Fort in a southerly direction to a point at or near the town of Brockville, Ontario, passing through the counties of Renfrew, Lanark and Leeds, and from the junction with the National Transcontinental Railway in a northerly direction along the valley of the Nottaway river, to a point at or near the East Main river, in the province of Quebec.

Extension  
of railway  
authorized.

**3.** The securities issued by the Company in respect of its railway shall not exceed thirty thousand dollars per mile, and may be issued only in proportion to the length of the railway constructed or under contract to be constructed.

Issue of  
securities  
on railway.

**4.** The Company may also, from time to time, issue bonds, debentures, debenture stock or other securities for the construction or acquisition of any vessels, properties or works, other than the railway which the Company is authorized to construct, acquire or operate; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of such vessels, properties and works.

Issue of  
securities  
for other  
purposes

Mortgages. 2. For the purpose of securing the issue of such bonds, debentures, debenture stock or other securities, the Company may execute mortgages upon such property, assets, rents and revenues of the Company, present or future, other than the railway, as is described therein.

R S., c. 37. 3. All the provisions of sections 136 to 148, both inclusive, of *The Railway Act* shall, so far as they are applicable, apply to such bonds, debentures, debenture stock or other securities or mortgages.

Land grant bonds. 5. The Company may issue "land grant bonds" to the extent of two dollars per acre upon any land owned by the Company other than lands required for the purposes of its undertaking.

Denomination of securities. 6. The Company may issue its bonds or debentures in whole or in part in the determination of dollars, or in the equivalent thereto in pounds sterling, francs or marks.

Time for construction of railway limited. 7. The Company may commence the construction of its railway and expend thereon fifteen per cent of the amount of its capital stock within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Agreements with other companies. 8. In lieu of the provisions of section 12 of the said chapter 85 of the statutes of 1907 of Quebec, the Company may, subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company and the Canadian Northern Railway Company.



## 7-8 EDWARD VII.

### CHAP. 147.

#### An Act respecting the Board of the Presbyterian College, Halifax.

[Assented to 16th June, 1908.]

**W**HEREAS the Board of the Presbyterian College, Halifax, Preamble.  
has by its petition prayed that it be enacted as herein- 1902, c. 92.  
after set forth, and it is expedient to grant the prayer of the  
said petition: Therefore His Majesty, by and with the advice  
and consent of the Senate and House of Commons of Canada,  
enacts as follows:—

**1.** Paragraph (c) of section 3 of chapter 92 of the statutes of S. 3 amended.  
1902 is hereby repealed and the following substituted therefor:— Powers of the Board.

“(c) receive, take over, hold, invest and manage any real or Receiving and dealing with property.  
personal property, bequests, donations or devises which  
may be given, entrusted, bequeathed or devised to  
the Board, or to any scheme or fund of the Presbyterian  
Church in Canada, other than such schemes or funds  
of the said Church as are incorporated under any Act  
or statute of any province of Canada and the Widows’  
and Orphans’ Fund, by any person, congregation, pres-  
bytery or firm, or by the Synod of the Maritime  
Provinces, or by the General Assembly of the Presbye-  
rian Church in Canada, for or on behalf of any scheme  
or religious and educational object of the Presbyterian  
Church in Canada, eastern division.”

**2.** Subsection (g) of section 3 of the said Act is hereby Execution of deeds, etc.  
amended by inserting, after the word “conveyances” in the  
second line thereof, the words “receipts, discharges and ac-  
quittances.”







## 7-8 EDWARD VII.

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### CHAP. 148.

#### An Act respecting the Ministers' Widows' and Orphans' Fund of the Presbyterian Church of Canada.

*[Assented to 17th March, 1908.]*

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House of  
Commons of Canada, enacts as follows:—

**1.** Section 2 of chapter 125 of the statutes of 1882, is amended 1882, c. 125,  
by striking out the words "whose rights in the fund are guar- s. 2 amended.  
anteed by this Act, or members or adherents of their congrega- Board of  
tions," and by substituting therefor the words "or members managers.  
or adherents in good standing of the Presbyterian Church in  
Canada."

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 149.

#### An Act respecting the Quebec and New Brunswick Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Quebec and New Brunswick Railway Company, hereinafter called "the Company," has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1900, c. 75;  
1903, c. 176.

**1.** The time limited, by chapter 176 of the statutes of 1903, for the construction and completion of the railway described in section 7 of chapter 75 of the statutes of 1900, as amended by section 3 of this Act, is hereby extended for five years from the passing of this Act; and if the said railway is not completed and put in operation within that period, then the powers of construction granted to the Company shall cease and be null and void with respect to so much of the said railway as then remains uncompleted.

Time for construction extended.  
1900, c. 75, s. 7.

**2.** Section 10 of chapter 75 of the statutes of 1900 and chapter 176 of the statutes of 1903 are hereby repealed.

1900, c. 75, s. 10 and 1903, s. 176 repealed.

**3.** Section 7 of chapter 75 of the statutes of 1900 is hereby amended by inserting, after the word "junction" in the eighth line thereof, the words "or a point on the Grand Trunk Pacific Railway in the valley of the river St. Francis."

1900, c. 75, s. 7 amended.  
Line of railway.

**4.** Section 7 of the said chapter 75 is hereby further amended by adding thereto the following subsection:—

S. 7 further amended.

"2. The Company may also lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches authorized.

Additional line of railway authorized.

inches from the said point, at or near St. Charles Junction, or St. Anselme, or Chaudière Junction aforesaid, to a point on the boundary line between the province of Quebec and the state of Maine in the United States of America, in the thirteenth township of the said state of Maine."

S. 9 amended. **5.** Section 9 of the said chapter 75 is hereby amended by inserting in the third line thereof, after the word "Canada," the words "or the Grand Trunk Pacific Railway Company, or the Atlantic, Quebec and Western Railway Company and the International Railway Company of New Brunswick."

Agreements  
with other  
companies.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 150.

#### An Act respecting the Quebec Railway, Light and Power Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Quebec Railway, Light and Power Company Preamble.  
has by its petition prayed that it be enacted as herein- 1895, c. 59;  
after set forth, and it is expedient to grant the prayer of the 1897, c. 59;  
said petition: Therefore His Majesty, by and with the advice 1899, c. 85.  
and consent of the Senate and House of Commons of Canada,  
enacts as follows:—

1. Section 19 of chapter 59 of the statutes of 1895 is repealed. 1895, c. 59,  
s. 19 repealed

2. Section 1 of chapter 59 of the statutes of 1897 is repealed. 1897, c. 59, s. 1 repealed

2. The capital stock of the Company shall be three million Capital stock.  
five hundred thousand dollars, of which twenty-five thousand  
shares shall be common stock and ten thousand shares shall  
be preferred stock.

3. The holders of the preferred stock shall be entitled to Priority of  
a cumulative dividend, not exceeding seven per cent per annum, preferred  
to be paid out of the net earnings of the Company after the stock.  
interest on the first mortgage bonds is paid, in priority to  
dividends on the shares of common stock, and the holders of  
such preferred stock shall also be entitled to prior repayment  
of capital over the holders of shares of common stock on any  
distribution of the assets of the Company on dissolution or  
liquidation thereof.

4. The directors may, at any time after the expiration of Preferred  
five years, retire and pay off such preferred stock, in whole or stock may  
in part, by paying the par value thereof with accrued interest be retired  
to the date of payment, and a premium of twenty per cent  
upon each share of stock so retired and paid off; provided that  
six months' notice of the intention of the directors to pay and

retire such preferred stock shall be given by public notice to be published during one month in *The Canada Gazette*, and in at least one newspaper published in the city of Quebec.

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most Excellent Majesty.



## 7-8 EDWARD VII.

### CHAP. 151.

An Act respecting a certain patent of Frederick C. Rehm, Elias Frank and Isidor Frank.

[Assented to 3rd April, 1908.]

**W**HEREAS Frederick C. Rehm, Elias Frank and Isidor Frank, all of the city of Detroit, in the state of Michigan, one of the United States of America, have by their petition represented that they are the holders and owners of a certain patent, issued to the said Frederick C. Rehm, Elias Frank and Isidor Frank, under the seal of the Patent Office, and numbered 63,842, dated the twelfth day of September, 1899, for new and useful improvements in knitting machines; and whereas they have prayed by their said petition that it be enacted as hereinafter set forth, and it is expedient to grant the prayer thereof: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

**1.** Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may receive from the holders of the said patent petitions for certificates of payment of further fees and the usual fees for one or more terms for the said patent, and may grant and issue to such holders certificates of payment of further fees, provided for by *The Patent Act*, granting extensions of the term or duration of the said patent, in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of issue of the said patent.

Commissioner of Patents may extend duration of patents.  
R.S., c. 69.

**2.** If any person, other than the licensees, has, in the period between the expiry of six years from the date of the said patent and the twenty-eighth day of November, 1907, commenced to manufacture, use and sell in Canada any of the patented inventions covered by the said patent, such person may continue

Certain rights saved.

Proviso.

to manufacture, use and sell such invention in as full and ample a manner as if this Act had not been passed: Provided that this exemption shall not extend to any person who, without the consent of the holders of such patent, has commenced the construction or manufacture of the said invention before the expiry of the patent.

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## 7-8 EDWARD VII.

### CHAP. 152.

#### An Act to incorporate the Ruthenian Catholic Mission of the Order of Saint Basil the Great in Canada.

[Assented to 16th June, 1908.]

**W**HEREAS the persons hereinafter named have by their Preamble  
petition represented that they are members of the Order of Saint Basil the Great, an order of religious in communion with the See of Rome; that they are the only members of the said order in Canada, and have for several years been engaged in pursuing the objects of their order in the establishing and carrying on of parishes or missions, the erection and conduct of churches, schools, colleges, orphanages and hospitals, in the provinces of Manitoba, Saskatchewan and Alberta; that in the course of their work some of them have acquired land which they desire to transfer to the corporation hereby incorporated; and whereas the said petitioners have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Reverend Father S. Dydyk, Reverend Father A. Filipow, Incorporation.  
Reverend Father Vladimir Steck, Reverend Brother T. Kozoil-  
ezuk, all of Winnipeg, in the province of Manitoba; Reverend  
Father N. Kryzanvskyj, of Shoal Lake, in the said province;  
Reverend Father M. Hura, of Edmonton, in the province of  
Alberta; Reverend Father J. Chrysostom Tymocxke and Rev-  
erend Brother J. Janiszeuski, of Mundare, in the said province  
of Alberta, together with all other members of the order of  
Saint Basil the Great, who are for the time being resident in  
any of the provinces of Canada, are hereby incorporated under  
the name of "The Ruthenian Catholic Mission of the Order of  
Saint Basil the Great in Canada," hereinafter called "the Cor-  
poration." Corporate name.

**2.** Reverend Father S. Dydyk, Reverend Father A. Filipow Directors  
and Reverend Father M. Hura, named in section 1 of this Act,  
shall be the first directors of the Corporation.

- Number and quorum. 2. The board of directors of the Corporation shall consist of at least five members, of whom a majority shall be a quorum.
- By-laws. 3. The Corporation may make by-laws, rules and regulations for the administration of the property, management and internal government of the Corporation, and the election, number and powers of its officers, and generally all necessary by-laws consistent with the laws of Canada.
- Head office. 3. The head office of the Corporation shall be at Winnipeg, in the province of Manitoba, or such other place in Canada as is from time to time determined by the by-laws of the Corporation.
- Objects of Corporation. 4. The objects of the Corporation shall be the maintenance and carrying on of parishes or missions, the erection, maintenance and conduct of churches, cemeteries, schools, colleges, orphanages and hospitals in any of the provinces of Canada, and the advancement in other ways of education and religion, charity and benevolence.
- Property may be acquired. 5. The Corporation may, from time to time, and subject to provincial laws, acquire and receive conveyances and leases of such lands, money, mortgages and securities or other property as are required for the objects of the Corporation, and may also receive the benefit of any gift or devise by will or otherwise in its corporate name for the uses and purposes of the Corporation, and may also borrow on mortgage or other charge or security any sums of money required for the objects of the Corporation: Provided, however, that the annual value of the real estate held by the Corporation shall not exceed twenty-five thousand dollars.
- Borrowing powers.
- Limitation.
- Property may be disposed of. 6. The Corporation may sell, exchange, alienate, mortgage, encumber, charge, lease or demise any lands, tenements and hereditaments held by it; and may, from time to time, invest any of its funds in any mortgage security of lands or other securities, and for the purposes of such investments may take and receive mortgages and other securities or assignments thereof; and may sell, grant, assign and transfer such mortgages and other securities to any person, company or body capable of receiving them; and may release and discharge such mortgages and other securities, either wholly or partly.
- Investments.
- Application of revenues. 7. The revenues, issues and profits of all property, real or personal, held by the Corporation, shall be appropriated and applied to the maintenance of the members of the Corporation and to the furtherance of the objects thereof as hereinbefore set forth.



## 7-8 EDWARD VII.

### CHAP. 153.

#### An Act respecting the St. Clair and Erie Ship Canal Company.

[Assented to 17th March, 1908.]

**W**HEREAS the St. Clair and Erie Ship Canal Company has Preamble.  
by its petition prayed that it be enacted as hereinafter  
set forth, and it is expedient to grant the prayer of the said 1899, c. 128;  
petition: Therefore His Majesty, by and with the advice and 1900, c. 119;  
consent of the Senate and House of Commons of Canada, enacts 1902, c. 98;  
1904, c. 122;  
1906, c. 158.  
as follows:—

**1.** The St. Clair and Erie Ship Canal Company may com- Time for  
mence the construction of its undertaking, and expend ten per construction  
cent of the amount of its capital stock thereon, within two years of under-  
after the passing of this Act, and may complete the said under- taking  
taking and put it in operation within five years after the passing extended.  
of this Act; and if the said undertaking is not so commenced  
and such expenditure is not so made, or if the said undertaking  
is not completed and put in operation, within the said periods  
respectively, the powers of construction conferred upon the  
said Company by Parliament shall cease and be null and void  
as respects so much of the said undertaking as then remains  
uncompleted.

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most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 154.

#### An Act to incorporate the Saskatchewan Power Company.

[Assented to 16th June, 1908.]

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House  
of Commons of Canada, enacts as follows:—

**1.** Fred. Engen, James F. Cairns, William C. Sutherland, Incorporation.  
James Straton and Archibald P. McNab, all of the city of  
Saskatoon, in the province of Saskatchewan, together with  
such persons as become shareholders in the company, are  
hereby incorporated under the name of “The Saskatchewan Corporate  
Power Company,” hereinafter called “the Company.” name.

**2.** The Company may, subject to the provisions of *The* Power to  
*Navigable Waters Protection Act* and of *The Irrigation Act*, locate, build dams.  
erect and maintain in the South Saskatchewan river, within a  
distance of twenty-five miles from the city of Saskatoon, in R.S., c. 115;  
the province of Saskatchewan, a dam or dams for the purpose R.S., c. 61.  
of holding reserves of water on the said river: Provided, that  
in the construction of such dam or dams, an opening or open- Proviso, as  
ings, with the necessary slides and gates sufficient for the safe to passage  
transmission of square timber, saw-logs or lumber, whether of timber  
loose or in rafts, and for free navigation, shall be maintained and boats.  
free of charge for the use of all persons who may desire to  
transmit square timber, saw-logs or lumber, loose or in rafts,  
and for free navigation.

**3.** The Company may enter upon any land of which it may Entry on  
deem necessary to make an examination and survey, doing no lands for  
unnecessary survey.

unnecessary damage, and paying the actual damage done, if any.

Deposit of  
plans of  
works and  
of lands  
proposed to  
be taken.

Notice.

Approval of  
plans by  
Governor in  
Council.

Power to take  
lands, how  
obtained.

Proceedings.

Power of  
judge to  
make order.

Assessment  
of damages

Costs.

Payment.

2. Certified copies of the plans of any work authorized by this Act and of the lands required for such work shall be filed by the Company in the Department of Public Works at Ottawa, in the registry office for the district in the province of Saskatchewan in which the works are to be situated, and in the office of the clerk of the municipality of the city of Saskatoon, in the province of Saskatchewan; and the Company shall without unnecessary delay give public notice of such deposit once a week for five consecutive weeks in *The Canada Gazette*, *The Saskatchewan Gazette* and in a newspaper published in the city of Saskatoon; and such notice shall state the day, hour and place at which application will be made to the Minister of Public Works for his approval of such plans; and the Minister of Public Works, after hearing such application, at such time as may be appointed by him, shall report to the Governor in Council whether in his opinion such plans should be approved, and the Governor in Council, may approve of such plans, and until such approval the Company shall have no authority to proceed with the construction, erection, or making of such work.

3. If such approval by the Governor in Council has first been obtained the Company may, on the order or authority of a judge of the Supreme Court of the province of Saskatchewan as hereinafter provided, enter upon, take and hold such lands shown upon the said plans as are judged necessary for the location, erection or maintenance of its dams and power-houses and other buildings adjacent thereto, and may, with its agents and teams, pass and re-pass over the shores of the said river for the purposes aforesaid.

4. To obtain such order or authority the Company may commence proceedings according to the practice of the said court in civil matters.

5. If the judge is of the opinion that the granting of the application made by the Company for the lands aforesaid, is proper and just under all the circumstances of the case, he shall make such order in the premises as he deems proper and expedient, and on such conditions as he determines, and may assess the sum or sums, if any, to be paid as the value of the lands or the easement or interest therein, as may be required, or as damages for any lands or property injuriously affected which ought to be paid by the Company, and shall make such order as to costs as he deems just.

6. The sum or sums so assessed or awarded as costs shall be paid to the party or parties entitled thereto, or into court, as the judge may direct; and any such payment to be made by the Company shall be made before the powers aforesaid or any of them shall be exercised, and within a period to be fixed by the judge, and in default the Company shall be debarred from all benefits under any such order, but the same may be pro-

ceeded on by the other party or parties thereto to enforce payment of the costs payable by the Company.

7. Upon payment by the Company of money ordered to be paid by them as directed by the order, the judge may issue an order, subject to the provisions hereinbefore contained, vesting in the Company any land or any interest or easement in respect of any land in respect of which such payment has been made. Vesting order.

8. Lands actually required for the construction, maintenance and operation of the transmission lines or conduits of the Company, may be taken and acquired by the Company; and, to this end, after the plans of any such work and the lands required therefor have been approved by the Governor in Council, the provisions of this section shall apply to the taking and acquisition of such lands. Taking of lands for transmission lines.

9. An appeal shall lie from the order of the judge to the court *in banc* of the said province, as from any other order or judgment of the like amount or amounts made by a judge of such court; and the proceedings on such appeal shall be in accordance with the law of the said province and with the practice of the said court. Appeal.

4. The Company may carry on the business of a power and electric heating and lighting company; may generate, transmit, use and dispose of water power; may acquire water power franchises and privileges, and the necessary real and personal estate and property; may contract with persons, firms, municipalities and corporations for supplying them with electricity; may promote the formation of companies which will require electricity as a motive power in connection with their business. Development and supply of power, heat and light.  
Promotion of companies.

5. The Company may purchase or otherwise acquire any business within the objects of the Company, and any lands, property, privileges, rights, contracts, and liabilities appertaining to the same; and may let or sub-let any property of the Company; and may sell or otherwise dispose of the business, property or undertaking of the Company, or any part thereof, for such considerations as the Company may think fit, and in particular for shares, debentures or securities of any other company having objects altogether or in part similar to those of the Company. Acquisition of other like businesses.  
Disposal of Company's business and franchises.

6. Nothing in this Act contained shall be construed as enabling the Company to acquire real estate beyond what is necessary for the carrying on of its business as aforesaid. Limitation as to real estate

7. If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,— Borrowing powers.

(a) borrow money upon the credit of the Company;

Borrowing.



- Amount. (b) limit or increase the amount to be borrowed;  
 Bonds, etc. (c) issue bonds, debentures or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient;  
 Mortgages. (d) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures or other securities and any money borrowed for the purposes of the Company.

Proviso, as to negotiable instruments. 2. Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Capital stock. 8. The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each, and  
 Calls. may be called up by the directors from time to time as they deem necessary, but no call subsequent to the allotment of shares shall exceed twenty per cent nor be made at less intervals than two months.

Provisional directors. 9. Fred. Engen, James F. Cairns, William C. Sutherland, James Straton and Archibald P. McNab shall be the provisional directors of the Company, a majority of whom shall form a quorum.

Powers of provisional directors. 10. The provisional directors may open stock books and procure subscriptions of stock, and shall deposit the payments thereon in a chartered bank in Canada, and may withdraw the same for the purposes of the Company only; and they shall  
 R.S., c. 79. have and possess all the powers which are conferred upon directors by Part II. of *The Companies Act* and by this Act; and,  
 Meetings. until otherwise ordered by by-law or resolution, meetings of the provisional directors shall be held at Saskatoon, in the province of Saskatchewan, at such times as they determine; notice  
 Notice. in writing, signed by at least three of the provisional directors calling any such meeting, with the date and place of holding the same, mailed by registered letter to the address of each of the other directors not less than six days previous to the date of such meeting, shall be deemed sufficient notice of such meeting.

First general meeting of Company. 11. At any time within twelve months after the passing of this Act the provisional directors, or any two of them, shall call a general meeting of the shareholders of the Company to be held at the city of Saskatoon at such time and place as they determine, for the purpose of passing or ratifying the by-laws of the Company, of electing directors, and of considering and determining upon any other business specified in the notice calling such meeting; and a notice in writing signed by two or more of the provisional directors calling any such meeting,  
 Notice. 254 with



with the date and place of holding the same, mailed by registered letter to the address of each shareholder not less than ten days previously, shall be deemed sufficient notice of such meeting.

**12.** No person shall be elected a director unless he holds at least ten shares of the capital stock of the Company, absolutely in his own right, and is not in arrears in respect of any call thereon, and the directors of the Company may act notwithstanding any vacancy in their number: Provided that, if the number falls below three, the directors shall not, except for the purpose of filling vacancies, have power to act so long as the number is below the said minimum. Qualification  
of directors.

**13.** The head office of the Company shall be in the city of Saskatoon, in the province of Saskatchewan. Head office.

**14.** The annual meeting of the shareholders shall be held on the second Wednesday in March in each year, at the head office of the Company, or at such other place in Canada as may be determined by by-law. Annual  
general  
meeting.

**15.** Section 141 of *The Companies Act* shall not apply to the Company. R.S., c. 79,  
s. 141.  
Calls on  
stock.

**16.** The powers granted by sections 2 to 5, both inclusive, of this Act shall expire by non-user during four consecutive years, or if the Company does not go into actual operation within three years from the passing of this Act. Expiry of  
certain  
powers by  
non-user.

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OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 155.

#### An Act to incorporate the Shuswap and Thompson Rivers Boom Company.

[Assented to 20th July, 1908.]

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House of  
Commons of Canada, enacts as follows:—

**1.** Otto Lachmund, of the city of Revelstoke, and Frank L. Incorporation.  
Buckley, of the town of Enderby, both in the province of  
British Columbia; Samuel H. Bowman, of the city of Min-  
neapolis, in the state of Minnesota, and James P. McGoldrick,  
of the city of Spokane, in the state of Washington, in the United  
States; and Thomas Kilpatrick, of the city of Revelstoke, in  
the province of British Columbia, together with such persons  
as become shareholders in the company, are incorporated under  
the name of "Shuswap and Thompson Rivers Boom Company," Corporate  
hereinafter called "the Company." name.

**2.** The undertaking of the Company is declared to be for the Declaratory.  
general advantage of Canada.

**3.** The number of directors shall be not less than five nor Directors.  
more than nine, one or more of whom may be paid directors;  
and a majority shall form a quorum.

**4.** The head office of the Company shall be at the city of Head office.  
Revelstoke, in the province of British Columbia, or at such  
other place in Canada as the directors determine by by-law, a  
true copy of which shall be published in *The Canada Gazette*.

**Capital stock.** **5.** The capital stock of the Company shall be one hundred thousand dollars, divided into shares of fifty dollars each, and may be called up by the directors from time to time as they deem necessary. The capital stock may be increased from time to time to any amount not exceeding one hundred and fifty thousand dollars; provided that each such increase shall be subscribed and fifty per cent paid up thereon before any further increase may be made; and provided further, that no increase of capital stock shall be made without the authority of the shareholders at an annual or at a special general meeting of the Company duly called for that purpose, at which meeting shareholders representing at least two-thirds of the subscribed capital stock are present or represented by proxy.

**Provisional directors.** **6.** The persons named in section 1 of this Act are constituted the provisional directors of the Company, and they may forthwith open stock books and procure subscriptions for shares, and as soon as seventy-five per cent of the capital stock is subscribed and ten per cent thereof paid in, they shall call a meeting of the shareholders, at which meeting the shareholders present or represented by proxy, who have paid in not less than ten per cent of the amount of shares subscribed for by them, shall elect directors.

**Annual meeting.** **7.** The annual meeting of the shareholders shall be held at the head office of the Company on the first Tuesday in June in each year. Other general meetings of the shareholders and directors' meetings may be held at such times and places as the by-laws of the Company determine.

**Business of Company.** **8.** The Company may engage in the business of transporting, rafting, driving, towing, collecting, carrying, booming, storing, holding, protecting, sorting and delivering saw-logs, poles, pulp-wood, ties, timber, lumber and all sorts of timber and lumber products in, upon, along and about the navigable portions of the following rivers, streams and bodies of water situate in the province of British Columbia, namely:—The Thompson river for a distance of two miles west of the confluence of the North and South Thompson rivers, the North Thompson river, the South Thompson river, Shuswap lake and its several arms, the Lower Spallumcheen river, and the navigable tributaries of each thereof, and the navigable bodies of water connecting therewith and their respective navigable tributaries, and in, upon, along and over any navigable parts of the said streams or bodies of water, or any of them, and the shores thereof, and the islands therein; and for the purposes of carrying on all or any part of said undertakings or any undertakings incidental thereto or necessary or convenient therein, the Company may,—



(a) acquire, build, erect, attach, construct, maintain, use and operate all sorts of booms, chutes, weirs, pilings, dams, slides, piers, cribs, wharfs, aprons, canals, flumes, and all other such works, buildings, structures, machinery and appliances as are necessary and convenient for the said purposes;

(b) deepen, widen or improve the channels of any or all of the said rivers, streams and bodies of water by blasting, dredging, removing shoals, bars, snags or other impediments or hindrances to navigation.

9. Nothing in this Act shall authorize the exercise of any power of the Company so as to interfere with the free navigation of the said rivers, streams or bodies of water, or any of their branches or tributaries, or so as to impede the free passage of fish to and from their spawning grounds in the said waters, or any of their branches or tributaries, or so as to destroy or in any way injure the spawning grounds, or so as to interfere with fish-breeding operations.

Navigation and fish not to be interfered with.

10. Plans and specifications of any works proposed under section 8 of this Act, and any alteration or enlargement thereof, showing the site, location and character thereof, shall be filed in the office of the Minister of Public Works at Ottawa, and in the office of the Dominion Lands Agent at the city of Kamloops; and thereafter the Company shall give public notice for two months, of such filing, in *The Canada Gazette* and at least one newspaper published in each of the cities of Kamloops and Revelstoke, stating the date, hour and place at which an application will be made to the Governor in Council for his approval to be given to such plans; and the Governor in Council, after hearing such application and determining all matters in relation thereto then brought before him by any person interested, may approve of such plans, and until such approval, the Company shall have no authority to proceed with the construction, alteration or enlargement of such works or any of them. The Governor in Council may also, in his discretion, approve any such works which hereafter become the property of the Company and which have been established or commenced prior to the passing of this Act, and his approval of any such works or improvements shall be conclusive that they do not violate any of the terms hereof.

Plans and specifications to be filed and approved by Governor in Council

2. The Governor in Council may, if he deems it expedient, exempt any person from the payment of tolls, and may make such orders and regulations as he deems expedient with respect to the maintenance or operation of such works, in order to maintain existing facilities in navigation or for securing better facilities therefor.

Regulations by Governor in Council

Operation of works.

3. The Governor in Council may make such orders and regulations for the expeditious rafting, driving, towing, collecting, carrying, booming, storing, holding, protecting, sorting and delivering

Rafting, towing, etc.

delivering of saw-logs, poles, pulp-wood, ties, timber, lumber, and all sorts of timber and lumber products in, upon and along the rivers, streams and bodies of water mentioned in section 8 of this Act.

Use of work  
by public.

**11.** The said works shall be open to the use of the public at all reasonable times on equal terms.

Disputes to  
be decided  
by Minister  
of Public  
Works.

2. In carrying on the business of the Company, and in the event of any dispute arising as to the navigability of any river, stream or body of water, and the Company's obligation to render any of the services aforesaid in, upon, along or concerning such river, stream or body of water, the decision of the Minister of Public Works, that such river, stream or body of water, or the particular part thereof in dispute, is navigable or non-navigable, shall be binding upon the Company.

Tolls, dues  
and charges.

**12.** So long as the works mentioned in section 8 of this Act are maintained in an efficient state (such efficient state to be, in the event of dispute, determined by the Minister of Public Works), the Company may levy and collect tolls, dues and charges upon all saw-logs, poles, pulp-wood, ties, timber, lumber and the products thereof, with respect to which the Company has performed or rendered any work, labour or service within the scope of its powers, as set forth in this Act, or in respect to which any of its works or improvements have been used by any other person, firm or corporation; such tolls, dues and charges to be fixed by the Company in accordance with a tariff, which shall be subject to the approval of the Governor in Council, who, before approving thereof, shall require the Company to give public notice of the application for such approval, in such newspapers, for such time, and in such manner as the Governor in Council determines, and shall give an opportunity to all interested persons to be heard upon such application; the Governor in Council may also revise the said tariff from time to time; and when so approved, the said tariff, together with any alterations or amendments thereto, or any revision thereof, shall be published in *The Canada Gazette*, *The British Columbia Gazette*, and at least one newspaper published in the cities of Kamloops and Revelstoke; and the Company shall have, hold and may enforce a lien for the amount of such tolls, dues and charges upon all such saw-logs, poles, pulp-wood, ties, timber, lumber or products thereof, or any other commodities; and the Company may hold possession thereof until such tolls, dues or charges have been paid, with legal interest and costs.

Tariff of  
tolls to be  
approved.

Expropria-  
tion of land.

**13.** Such lands as are actually required for the construction, maintenance or operation of any work or improvement mentioned in section 8 of this Act may be taken and acquired by the Company, subject, however, to the approval of the Governor

in Council; and to this end, and after plans and specifications for such work or improvement, and the project for the taking of lands therefor under this section, have been approved by the Governor in Council, all the provisions of *The Railway Act* R.S., c. 37. which are applicable to such taking and acquisition of lands, so far as they are applicable thereto, shall apply with the same force and effect as if they were included in this Act, and all the provisions of *The Railway Act* which are applicable hereto shall in like manner apply to the ascertainment and payment of compensation for or damages to lands arising out of such taking or acquisition, or out of the construction or maintenance of such works or improvements of the Company, or out of the exercise of any of the powers of the Company under this Act: Provided that the powers granted by this section shall be exercised at such places only as are first approved of by the Governor in Council; and provided also that the land so acquired by the Company at any one point shall not extend a greater distance than five hundred feet along the margin of the river, nor extend back from the river a greater distance than fifty feet from high water mark; and provided further that nothing in this section shall authorize the Company to acquire or take possession of, or in any way injure or interfere with, any mill site upon which there exists any mill or machinery or hydraulic works other than those intended to facilitate the passage of timber.

**14.** In connection with and in carrying on its undertakings, Special powers the Company may,—

(a) acquire, hold, maintain and operate lands, buildings, water powers, easements, good-wills, franchises, licenses, privileges, rights and businesses, and any other real or personal property, and the products thereof, and including stocks, bonds, debentures and securities of other corporations necessary or convenient to the Company's operations and business;

(b) acquire, construct, use, maintain and operate roads, tramways, docks, wharfs, piers and similar works, and, for its undertaking only, telegraph, telephone and electric lines;

(c) construct, acquire, maintain, charter and navigate boats, tugs and water crafts for use between places in Canada and elsewhere;

(d) sell, lease, improve, hold, manage, exchange or otherwise dispose of or deal with all or any part of its property, real or personal;

(e) engage as principal or agent in any business or transaction within the limits of the Company's objects, either by itself or in conjunction with any other person, firm or corporation.

**15.** In the event of the Company not complying with the orders and regulations which may be made with respect to it by the Governor in Council, or in the event of the Company

Confiscation of works for non-compliance with Act or not regulations.



not conforming in all respects to the provisions of this Act, the Governor in Council may, if he deems it in the public interest to do so, after notice to the Company and giving it a reasonable opportunity of being heard, declare the works with respect to which orders and regulations have not been complied with to be vested in the Crown, and thereupon all the rights, powers and privileges conferred upon the Company by this Act, in so far as such portions of the Company's works are concerned, shall cease and be void.

Time for  
construction  
of works  
limited.

**16.** If the construction of any of the said works and improvements is not commenced within two years after the passing of this Act, and if any such work or improvement is not completed and put in operation within ten years after the passing of this Act, the powers for the construction thereof granted by this Act shall cease and be null and void as respects so much of any improvement or work as then remains uncompleted.

R.S., c. 79.

**17.** Sections 62, 63, 65, 67, 69, 75, 97, 98, 101, 102, 103 and 104 of *The Companies Act* shall apply to the Company; and, except as hereinbefore expressly enacted, section 141 of *The Companies Act* shall not apply to the Company.

Expropria-  
tion.

**18.** His Majesty may at any time assume possession of, and the property in, the Company's works and undertakings, and of and in all the rights, privileges and advantages of the Company, on giving to the Company three months' notice of intention to do so; and thereupon all property in the said works and undertakings, rights, privileges and advantages shall become and thenceforward shall be vested in His Majesty; and the amount of compensation to be paid to the Company shall be the value of the works and undertakings actually carried out or in course of completion by the Company up to the time of the giving of such notice, together with the value of all tangible property of the Company of which possession is so taken, such value to be decided by arbitrators, one of whom shall be appointed by the Minister of Public Works and one by the Company; and if they do not agree upon the award, the Judge of the Exchequer Court of Canada shall appoint the third arbitrator.

Compensa-  
tion.

Consent of  
Parliament  
before expro-  
piation.

**2.** Nothing in this Act shall authorize the exercise, without the consent of Parliament previously obtained, of the right to take over the Company's works, undertakings and property as provided in this section.





## 7-8 EDWARD VII.

### CHAP. 156.

An Act respecting a certain patent of William B. Smith.

[Assented to 20th July, 1908.]

**W**HEREAS William B. Smith, of the city of Chicago, in the Preamble.  
state of Illinois, one of the United States of America,  
inventor, has by his petition represented that he is the holder  
of letters patent for the Dominion of Canada, issued under the  
seal of the Patent Office, namely, patent number 86,428, dated  
the twelfth day of April, 1904, being re-issue of patent number  
72,712, dated the thirteenth day of August, 1901; and whereas  
by his said petition he has prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the  
said petition: Therefore His Majesty, by and with the advice  
and consent of the Senate and House of Commons of Canada,  
enacts as follows:—

**1.** Notwithstanding anything to the contrary in *The Patent Act*, or in the said recited letters patent, the Commissioner of Patents may receive from William B. Smith an application for a certificate of payment, and, upon payment of the usual fee upon the said letters patent for the remainder of the term of eighteen years from the thirteenth day of August, 1901, may grant and issue to the said William B. Smith a certificate of payment as provided by *The Patent Act*, and an extension of the duration of the said letters patent to the full term of eighteen years, in as full and ample a manner as if application therefor had been duly made within six years from the date of the said original letters patent number 72,712. Power to Commissioner to receive payment of fee and to grant extension. R.S., c. 69. Term of extension.

**2.** Any person, other than a licensee, who has within the period between the thirteenth day of August, 1907, and the sixth day of June, 1908, commenced to manufacture, use and Saving of rights of persons who have

commenced  
manufacture,  
use and sale.

sell in Canada any of the inventions covered by the said letters patent, may continue to manufacture, use and sell such inventions in as full and ample a manner as if this Act had not been passed.

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most Excellent Majesty.



## 7-8 EDWARD VII.

### CHAP. 157.

#### An Act respecting the South Ontario Pacific Railway Company.

[Assented to 17th March, 1908.]

**W**HEREAS the South Ontario Pacific Railway Company has Preamble.  
by its petition prayed that it be enacted as hereinafter 1887, c. 85;  
set forth, and it is expedient to grant the prayer of the said 1889, c. 70;  
petition: Therefore His Majesty, by and with the advice and 1891, c. 92;  
consent of the Senate and House of Commons of Canada, enacts 1896 (1st Sess.), c. 35;  
as follows:— 1906, c. 161.

**1.** The South Ontario Pacific Railway Company may com- Time for  
mence the construction of its railway, and expend fifteen per construction  
cent of the amount of its capital stock thereon, within two of railway  
years after the passing of this Act, and may complete the said extended.  
railway and put it in operation within five years after the  
passing of this Act, and may complete its bridge within seven  
years after the passing of this Act; and if the said railway is  
not so commenced and such expenditure is not so made, or if  
the said railway and bridge are not completed and put in opera-  
tion within the said periods respectively, the powers of con-  
struction conferred upon the said Company by Parliament shall  
cease and be null and void as respects so much of the said rail-  
way and bridge as then remains uncompleted.

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most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 158.

#### An Act for the relief of Hattie Spratte.

[Assented to 20th July, 1908.]

**W**HEREAS Hattie Spratte, presently residing at the town Preamble.  
of Parry Sound, in the province of Ontario, wife of George Allison Spratte, formerly of the said town, and now residing in the city of Winnipeg, in the province of Manitoba, has by her petition alleged, in effect, that they were lawfully married on the first day of January, A.D. 1901, at the said town, she then being Hattie Phillips, spinster; that the legal domicile of the said George Allison Spratte was then and is now in Canada; that at the town of Fairfax, in the state of Vermont, one of the United States of America, in or about the month of September, A.D. 1905, he committed adultery with one Jennie Barchow or Bouchard; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Hattie Spratte and George Allison Spratte, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Hattie Spratte may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said George Allison Spratte had not been solemnized. Right to marry again.





## 7-8 EDWARD VII.

### CHAP. 159.

#### An Act to incorporate the Standard Accident and Guarantee Company.

[Assented to 16th June, 1908.]

**W**HEREAS the persons hereinafter named have by their Preamble.  
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Francis Joseph Lightbourn, insurance agent, Francis McPhillips, journalist, Henry Ferguson Darrell, stockbroker, Edmund Tucker Lightbourn, estate and insurance agent, Rupert G. Muntz, accountant, Harry Guy Ord, clerk, and Frank J. J. Stark, insurance agent, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Standard Accident and Guarantee Company," hereinafter called "the Company." Incorporation.  
Corporate name.

**2.** The persons named in section 1 of this Act, together with such persons, not exceeding six, as they associate with them shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only, and may do generally whatever is necessary to organize the Company. Provisional directors and their powers.  
Organization.

Head office.

**3.** The head office of the Company shall be in the city of Toronto, in the province of Ontario.

Local boards.

2. The directors may establish local advisory boards or agencies, either within Canada or elsewhere, at such times and in such manner as they deem expedient.

Capital.

**4.** The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each.

First general meeting.

**5.** So soon as one hundred and fifty thousand dollars of the capital stock have been subscribed and ten per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the said city of Toronto, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent on the amount of shares subscribed for by them shall elect a board of not less than seven nor more than twenty directors, a majority of whom shall be a quorum.

Election of directors.

Qualification of directors.

2. No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Special meetings.

**6.** A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted, and special general or extraordinary meetings may at any time be called by any five of the directors, or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.

Notice.

2. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called, and addressed by registered letter to the addresses of the shareholders respectively given in the books of the Company.

Calls.

**7.** The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent and not less than thirty days notice shall be given of any call: Provided that the whole amount so paid in by any shareholder shall not be less than ten per cent of the amount subscribed by such shareholder.

Commencement of business.

**8.** The Company shall not commence the business of accident, sickness and guarantee insurance as provided for by this Act until two hundred and fifty thousand dollars of the capital



stock have been subscribed and ninety thousand dollars have been paid in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act: Provided that the Company may commence the business of accident or accident and sickness insurance when one hundred and fifty thousand dollars of the capital stock have been subscribed and thirty-five thousand dollars have been paid in cash into the funds of the Company: Provided further that in case the business of accident and sickness insurance has not been so taken up, the Company may commence the business of guarantee insurance when one hundred and seventy-five thousand dollars of the capital stock have been subscribed and sixty thousand dollars have been paid in cash into the funds of the Company.

2. No subscription to capital stock upon which less than ten per cent has been paid in cash shall be taken into account in ascertaining the total amount of capital stock required to be subscribed under subsection 1 of this section.

3. No sum paid by any shareholder who has paid in cash less than ten per cent of the amount subscribed by such shareholder shall be reckoned in ascertaining the several sums required to be paid prior to the commencement of the several classes of business provided for in this section.

9. The Company may make and effect contracts of insurance with any person against any accident or casualty, of whatever nature or from whatever cause arising, to individuals, whereby the insured suffers loss or injury or is disabled, including sickness not ending in death, or, in the case of death from any accident or casualty not including sickness, securing to the representative of the person assured the payment of a certain sum of money upon such terms and conditions as are agreed upon, and in like manner may also make and effect contracts of indemnity with any person against claims and demands of the workmen and employees of such person, or of the legal representatives of such workmen and employees, with respect to accidents or casualties, of whatever nature or from whatever cause arising, whereby the insured suffers pecuniary loss or damage or incurs costs and expenses, and may generally carry on the business of accident and sickness insurance as defined by *The Insurance Act*.

10. The Company may make and effect contracts—

(a) guaranteeing the fidelity of persons filling or about to fill situations of trust or confidence, and the due performance and discharge by such persons of all or any of the duties and obligations imposed upon them by contract or otherwise;

(b) guaranteeing the due performance and discharge by receivers, officials and other liquidators, committees, guardians, executors,

executors, administrators, trustees, attorneys, brokers and agents of their respective duties and obligations;

(c) guaranteeing persons filling or about to fill situations of trust or confidence against liabilities in connection therewith, and in particular against liabilities resulting from the misconduct of any co-trustee, co-agent, sub-agent or other person.

R.S., c. 34.

2. The Company may carry on, generally, the business of guarantee insurance as defined by *The Insurance Act*.

Re-insurance.

11. The Company may also cause itself to be insured against any risk undertaken in the course of its business.

Holding of  
real property  
limited.

12. The Company may acquire and hold any real property required in part or wholly for its use and accommodation, and may dispose thereof when necessary, but the annual value of such property held in any province of Canada shall not exceed three thousand dollars, except in the province of Ontario where it shall not exceed five thousand dollars.

R.S., c. 34  
to apply.

13. This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act*, and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail.

Application  
of R.S.,  
c. 79.

14. Notwithstanding anything contained in *The Companies Act*, Part II. thereof, except sections 125, 134, 141, 158 and 165, shall apply to the Company in so far as the said Part is not inconsistent with any of the provisions of *The Insurance Act* or of this Act.

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## 7-8 EDWARD VII.

### CHAP. 160.

An Act respecting the Standard Mutual Fire Insurance Company, and to change its name to "The Standard Fire Insurance Company."

[Assented to 20th July, 1908.]

**W**HEREAS the Standard Mutual Fire Insurance Company <sup>Preamble.</sup> has, by its petition, represented that it was incorporated under the provisions of "The Ontario Insurance Act," chapter 203 of the Revised Statutes of Ontario, 1897, under the name of "The Farmers Mutual Fire Insurance Company of Markham," the head office of the said company being at the village of Markham; that subsequently, by orders of the Lieutenant Governor of Ontario in Council, dated January 18, 1899, and December 5, 1906, the corporate name of the said company was changed to "The Standard Mutual Fire Insurance Company," and the head office of the said company was changed to the city of Toronto, and that the said company has, since the date of its incorporation, carried on the business of fire insurance in the said province; and whereas the said company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The shareholders of the company mentioned in the preamble, hereinafter called "the old Company," together with such persons as become shareholders in the company incorporated by this Act, are incorporated under the name of "The Standard Fire Insurance Company," hereinafter called "the new Company." <sup>Incorporation.</sup> <sup>Corporate name.</sup>

**2.** The capital stock of the new Company shall be five hundred thousand dollars, divided into shares of one hundred dollars each. <sup>Capital stock.</sup>



Shareholders  
in new  
Company.

**3.** The shareholders of the old Company are hereby declared to be holders respectively of as many shares in the new Company as they are holders respectively of shares in the old Company, but only the sums which have been, or may hereafter be, paid by the shareholders respectively on the issued shares of the old Company, shall be credited as paid on the shares of the new Company.

Liability on  
shares.

**2.** The liability of the shareholders of the new Company upon the said shares in the new Company, so held by them respectively, shall amount per share only to the difference between the sums so credited as paid upon each share and one hundred dollars.

Over due calls  
on shares.

**3.** Nothing in this Act shall affect the liability of shareholders of the old Company, who have not paid the calls already made upon shares of the old Company, to pay the said calls.

Liability of  
shareholders  
of old  
Company.

**4.** Nothing in this Act shall be so construed as to lessen the liability of shareholders of the old Company to the present creditors or to the present policyholders of the old Company: Provided, however, that any payment made upon the shares of the new Company shall reduce the said liability of the shareholders of the old Company by the amount of such payment.

Liability for  
obligations of  
old Company.

**5.** The new Company shall be liable for, and subject to, and shall pay, discharge, carry out and perform all the debts, liabilities, obligations and contracts of the old Company, and any person having any claim, demand, right, cause of action or complaint against the old Company, or to whom the old Company is under any obligation, liability or contract, shall have the same rights and powers in respect thereto, and to the collection and enforcement thereof, from and against the new Company as such person has against the old Company: Provided, however, that any person who recovers under section 150 of *The Companies Act* in respect of any shares in the new Company, shall be held to have abandoned, *pro tanto*, his right to recover in respect of the corresponding shares in the old Company.

Vesting of  
assets.

**6.** All the assets, rights, effects and properties, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to the old Company, or to which it is or may become entitled, shall be vested in the new Company upon due execution of the indenture in the schedule to this Act, but shall remain subject to existing mortgages or liens, if any.

Calls.

**7.** The directors may from time to time make such calls as they think fit upon the shareholders in respect of all moneys unpaid on the shares in the new Company held by them respectively. Such calls shall be payable at such times and places and in such payments or in-



stalments as the directors appoint: Provided that no call shall exceed ten per cent and that not less than thirty days' notice of any call shall be given.

**8.** The president, vice-president and directors of the old Company shall continue to be such in the new Company until their successors are appointed, and all by-laws, rules and regulations of the old Company, not contrary to law or inconsistent with this Act, shall be the by-laws, rules and regulations of the new Company until amended or repealed in pursuance of the provisions of this Act. Existing officers and by-laws continued.

**9.** The affairs of the new Company shall be managed by a board of not less than seven nor more than twenty-five directors, as the by-laws prescribe, a majority of whom shall be a quorum. Directors.

**2.** No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock of the new Company, and has paid all calls due thereon, and all liabilities incurred by him to the new Company. Qualification.

**10.** The head office of the new Company shall be in the city of Toronto, in the province of Ontario, but local advisory boards or agencies may be established and maintained either within Canada, or elsewhere, in such manner as the directors determine. Head office.

**11.** A general meeting of the new Company shall be called once in each year at its head office, and at such meeting a statement of the affairs of the new Company shall be submitted by the directors. Special general meetings may be called by any five of the directors, or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting; and notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called, and addressed to the addresses of the shareholders respectively given in the books of the new Company. Annual meeting.  
Special meeting.

**12.** The new Company may make contracts of insurance upon the cash, cash mutual, or premium note plan throughout Canada and elsewhere, with any person, against loss or damage by fire or lightning, in or to any house, dwelling, factory, mill or other building, and to any goods, chattels, railway plant or personal estate, for such time and for such premiums or considerations, and upon such modifications and restrictions, and upon such conditions, as are agreed upon between the new Company and the insured, and generally carry on the business of fire insurance and the business of inland transportation insurance in all their branches and forms. Business of Company.

**2.** The new Company may also cause itself to be insured against any risk it may have taken in the course of its business. Re-insurance.

Risks of other companies.

3. The new Company may also undertake the re-insurance of the risks of other companies.

Foreign investments.

13. The new Company may invest or deposit such proportion of its funds in foreign securities as is necessary for the maintenance of any foreign branch.

Real property.

14. The new Company may acquire or hold real estate required in part or wholly for its own use, and may sell, convey, mortgage, lease or dispose thereof, but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of Ontario where it shall not exceed ten thousand dollars.

Capital to be increased before license obtained.

15. Before obtaining the license required by *The Insurance Act*, the subscribed capital of the new Company shall be increased from one hundred and eighteen thousand two hundred dollars,\* the present subscribed capital of the old Company, to at least two hundred and fifty thousand dollars, and there shall be paid thereon, in addition to the sum of eleven thousand eight hundred and twenty dollars paid on the capital of the old Company, at least the sum of one hundred thousand dollars in cash into the funds of the new Company to be appropriated only for the purposes of the new Company under this Act: Provided that the sum paid by any shareholder who has paid in cash less than ten per cent of the amount subscribed by him shall not be reckoned as part of the said sum of one hundred thousand dollars: Provided also that in each succeeding year for five years after the issue of a license to the new Company under *The Insurance Act* a further sum of at least fifteen thousand dollars shall be paid annually in cash upon the capital stock of the new Company.

Proviso.

R.S., c. 34.

16. This Act, and the new Company, and the exercise of the powers hereby conferred, shall be subject to *The Insurance Act* and to any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail.

R.S., c. 79.

17. Part II. of *The Companies Act*, except sections 125, 134, 141, 158 and 165 thereof, in so far as it is not inconsistent with any of the provisions of *The Insurance Act* or of any general Act relating to insurance passed during the present session of Parliament, or of this Act, shall apply to the new Company.

When Act to take effect.

18. This Act shall not take effect unless and until accepted and approved of by a vote of not less than three-fourths in value of the shareholders of the old Company present or represented by proxy at a special general meeting of the old Company, duly

called for the purpose of considering this Act; and if so accepted and approved of, this Act shall take effect upon a subsequent day to be fixed for that purpose by the said vote. Approval of shareholders.

2. Notice of such acceptance and approval, and of the day so fixed, shall be published by the new Company in *The Canada Gazette*. Notice.

### SCHEDULE.

This indenture made the \_\_\_\_\_ day of 190\_\_\_\_, between "The Standard Mutual Fire Insurance Company" incorporated under the provisions of chapter 203 of the Revised Statutes of Ontario, 1897, known as "The Ontario Insurance Act" of the Province of Ontario, of the first part, hereinafter called "the old Company," and "The Standard Fire Insurance Company" incorporated by chapter 160 of the statutes of 1908 of Canada, of the second part, hereinafter called "the new Company."

Whereas the shareholders of the old Company have accepted and approved of the new Company's said Act of incorporation, intituled "An Act respecting the Standard Mutual Fire Insurance Company, and to change its name to The Standard Fire Insurance Company," and, by the resolutions of the shareholders duly passed in that behalf, the \_\_\_\_\_ day of 190\_\_\_\_, was fixed as the date from which the said Act should take effect.

And whereas by the said Act the new Company is authorized to acquire all the assets, rights, credits, effects and property, real, personal and mixed, of the old Company;

And whereas the old Company has agreed to convey and assign the same to the new Company;

Now this indenture witnesseth: That in consideration of the said Act and of the shares in the capital stock of the new Company, which are thereby vested in the shareholders of the old Company, and in consideration of the covenants by the new Company hereinafter contained, the old Company hereby grants, assigns, transfers and sets over unto the new Company, its successors and assigns, forever, all the assets, rights, credits, effects and property, real, personal and mixed, belonging to the old Company, or to which it is or may become entitled: To have and to hold unto the new Company, its successors and assigns, to and for its sole and only use forever; and the old Company covenants with the new Company to execute and deliver, at the expense of the new Company, all such further and other separate and formal assurances, assignments, transfers and conveyances, for registration purposes or otherwise, as may be required to vest in the new Company, its successors and assigns, the full, legal, equitable and beneficial title and interest



interest to and in the said assets, rights, credits, effects and properties, and each and every part thereof.

And in consideration of the foregoing, the new Company covenants with the old Company, its successors and assigns, that it shall and will pay, discharge, carry out and perform all debts, liabilities, obligations and contracts for or in respect of which the old Company is now liable or which it should pay, discharge, carry out or perform, and the new Company shall and will indemnify and save harmless the old Company in respect thereof.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 161.

#### An Act to incorporate the Standard Plate Glass Insurance Company of Canada.

[Assented to 16th June, 1908.]

**W**HEREAS the persons hereinafter named have by their Preamble.  
petition prayed that it be enacted as hereinafter set  
forth, and it is expedient to grant the prayer of the said petition:  
Therefore His Majesty, by and with the advice and consent  
of the Senate and House of Commons of Canada, enacts as  
follows:—

**1.** Francis Joseph Lightbourn, Francis McPhillips, Henry Incorporation.  
Ferguson Darrell, Edmund Tucker Lightbourn, Rupert G.  
Muntz, Harry Guy Ord and Frank J. J. Stark, of the city of  
Toronto, in the county of York, together with such persons as  
become shareholders in the company, are incorporated under  
the name of "The Standard Plate Glass Insurance Company Corporate  
of Canada," hereinafter called "the Company." name.

**2.** The persons named in section 1 of this Act, together with Provisional  
such persons, not exceeding six, as they associate with them, directors.  
shall be the provisional directors of the Company, a majority  
of whom shall be a quorum for the transaction of business, and  
they may forthwith open stock books, procure subscriptions of  
stock for the undertaking, make calls on stock subscribed and  
receive payments thereon, and shall deposit in a chartered bank  
in Canada all moneys received by them on account of stock  
subscribed or otherwise received by them on account of the  
Company, and may withdraw the same for the purpose of the  
Company only, and may do generally whatever is necessary to  
organize the Company.

**3.** The head office of the Company shall be in the city of Head office.  
Toronto, in the province of Ontario.

Local boards and agencies. 2. The directors may establish local advisory boards or agencies, either within Canada or elsewhere, at such times and in such manner as they deem expedient.

Capital stock 4. The capital stock of the Company shall be one hundred thousand dollars, divided into shares of one hundred dollars each.

Increase of capital. 2. The directors may, after the whole capital stock has been subscribed and fifty per cent paid thereon in cash, increase the amount of the capital stock from time to time to an amount not exceeding two hundred thousand dollars, but the stock shall not be increased until a resolution of the board of directors, authorizing such increase, has been first submitted to, and confirmed by, two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose.

First general meeting. 5. So soon as fifty thousand dollars of the capital stock have been subscribed, and ten per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Toronto, at which meeting the shareholders present or represented by proxy who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of not less than seven or more than twenty directors, a majority of whom shall be a quorum.

Election of directors. Number and quorum. 2. No person shall be a director unless he holds in his own name and for his own use at least twenty-five shares of the capital stock, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Qualification. 6. A general meeting of the Company shall be called at its head office once in each year after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted, and special general or extraordinary meetings may at any time be called by any five of the directors, or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.

Annual general meeting. 2. Notice of each such meeting shall be sufficiently given by printed or written notice to each of the shareholders mailed at least twenty days before the day for which the meeting is called, and addressed by registered letter to the addresses of the shareholders respectively given in the books of the Company.

Notice of meeting. 7. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten

Calls on stock. 280 per

per cent, and not less than thirty days' notice shall be given of any call.

**8.** The Company may make contracts of insurance against Business. loss or damage, by breakage or otherwise, to plate or other glass, whether placed in windows, doors or other parts of buildings and whether stored or in transit on shore or afloat, and may cause itself to be insured against any loss or risk it incurs in the course of its business.

**2.** The Company shall not commence the business of plate When business may be commenced. glass insurance, as provided for by this Act, until seventy-five thousand dollars of the capital stock have been subscribed and fifteen thousand dollars have been paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act: Provided that the sum paid by any shareholder which is less than ten per cent of the amount subscribed by him shall not be reckoned as part of the said fifteen thousand dollars.

**9.** The Company may acquire and hold any real property Real property. required in part or wholly for its use and accommodation, and may dispose thereof, but the annual value of such property held in any province of Canada shall not exceed three thousand dollars, except in the province of Ontario where it shall not exceed five thousand dollars.

**10.** This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act*, and of any general Act relating to insurance passed during the present session of Parliament; and in any respect in which this Act is inconsistent Application of Insurance Acts. with those Acts, the latter shall prevail. Conflicting provisions.

**11.** Notwithstanding anything therein, Part II. of *The Companies Act*, except sections 134, 141, 158 and 165 thereof, shall apply to the Company in so far as the said Act is not inconsistent R.S., c. 79. with any of the provisions of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament, or of this Act. R.S., c. 34.







## 7-8 EDWARD VII.

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### CHAP. 162.

An Act respecting the Tobique Manufacturing Company, and to change its name to "Fraser Lumber Company, Limited."

[Assented to 17th March, 1908.]

**W**HEREAS a petition has been presented praying that it Preamble.  
be enacted as hereinafter set forth, and it is expedient  
to grant the prayer of the said petition: Therefore His Majesty, 1898, c. 116.  
by and with the advice and consent of the Senate and House  
of Commons of Canada, enacts as follows:—

**1.** The name of the Tobique Manufacturing Company, Name  
Limited, is changed to "Fraser Lumber Company, Limited," changed.  
but such change of name shall not in any way impair, alter or  
affect the rights or liabilities of the said company, nor in any  
wise affect any suit or proceeding now pending, or judgment Existing  
existing, either by or in favour of, or against the said Company, rights saved.  
which, notwithstanding such change in the name of the said  
Company, may be prosecuted, continued, completed and en-  
forced as if this Act had not been passed.

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most Excellent Majesty.





## 7-8 EDWARD VII.

### CHAP. 163.

#### An Act for the relief of Arthur James Townsend.

[Assented to 20th July, 1908.]

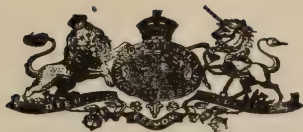
**W**HEREAS Arthur James Townsend, of the city of Toronto, Preamble.  
in the province of Ontario, has by his petition alleged, in effect, that on the twenty-fourth day of August, A.D. 1904, at the said city of Toronto, he was lawfully married to Cora Leffler; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the city of Buffalo, in the state of New York, one of the United States of America, at divers times in the year A.D. 1905, between the months of January and July, she committed adultery with various men whose names are unknown; that her present residence and whereabouts are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The said marriage between Arthur James Townsend and Cora Leffler, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

**2.** The said Arthur James Townsend may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Cora Leffler had not been solemnized. Right to marry again.







## 7-8 EDWARD VII.

### CHAP. 164.

#### An Act respecting the Trans-Canada Railway Company.

[Assented to 3rd April, 1908.]

WHEREAS the Trans-Canada Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: 1895, c. 68; 1897, c. 65; 1902, c. 108; 1904, c. 136. Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Trans-Canada Railway Company may commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for construction extended.

2. Section 3 of chapter 136 of the statutes of 1904 is repealed. 1904, c. 136, s. 3 repealed.

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## 7-8 EDWARD VII.

### CHAP. 165.

#### An Act to incorporate the Travellers Life Assurance Company of Canada.

[Assented to 16th June, 1908.]

**W**HEREAS a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to grant  
the prayer of the said petition: Therefore His Majesty, by and  
with the advice and consent of the Senate and House of Com-  
mons of Canada, enacts as follows:—

**1.** James William Pyke, Charles Edward Archibald, Samuel Incorporation.  
Sheldon Stephens, John M. M. Duff and Richard T. Heneker,  
of the city of Montreal, together with such persons as become  
shareholders in the company, are incorporated under the name  
of "The Travellers Life Assurance Company of Canada," Corporate  
hereinafter called "the Company." name

**2.** The persons named in section 1 of this Act, together with Provisional  
such persons, not exceeding eight, as they associate with them,  
shall be the provisional directors of the Company, a majority directors.  
of whom shall be a quorum; and they may forthwith open stock  
books, procure subscriptions of stock for the undertaking,  
make calls on stock subscribed, and receive payments thereon,  
and shall deposit in a chartered bank in Canada all moneys Powers.  
received by them on account of stock subscribed or otherwise  
received by them on account of the Company, and shall with-  
draw the same for the purposes only of the Company, and may  
do generally what is necessary to organize the Company.

**3.** The capital stock of the Company shall be one million Capital stock  
dollars, divided into shares of one hundred dollars each.

**4.** The head office of the Company shall be in the city of Head office  
Montreal, in the province of Quebec.

Local boards and agencies. 2. The directors may establish local advisory boards or agencies either within Canada or elsewhere.

Business of Company. 5. The Company may effect contracts of life insurance with any person, and may grant, sell or purchase life annuities and endowments dependent upon the contingency of human life, and, generally, may carry on the business of life insurance in all its branches and forms.

Calls on stock. When business may be commenced. 6. The shares of the capital stock subscribed for shall be paid in such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice of any call shall be given: Provided that the Company shall not commence the business of insurance until sixty-two thousand five hundred dollars of the capital stock have been paid in cash into the funds of the Company, and deposited in some chartered bank in Canada, to be appropriated only for the purposes of the Company under this Act; provided further that the amount so paid in by any shareholder shall not be less than ten per cent of the amount subscribed by such shareholder.

First general meeting. Election of shareholders' directors. 7. So soon as two hundred and fifty thousand dollars of the capital stock of the Company have been subscribed and ten per cent of that amount has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders of the Company at some place to be named in the city of Montreal, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect nine directors, hereinafter called "shareholders' directors."

Qualification. 2. No person shall be a shareholders' director unless he holds in his own name and for his own use at least fifty shares of the capital stock of the Company, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Election of policy-holders' directors. 8. In addition to the shareholders' directors, at the third annual meeting of the Company, and thereafter at each annual meeting, there shall be elected by the participating policy-holders from among their number six directors who are not shareholders and who are hereinafter called "policy-holders' directors."

Holders of participating policies. Privileges and restrictions. 2. Every person whose life is insured under a policy or policies of the Company for one thousand dollars or upwards, and who has paid all premiums then due thereon, whether such person is a shareholder of the Company or not, and who is by the terms of his policy entitled to participate in profits, is referred to in this Act as a holder of a participating policy, and shall be a member of the Company and be entitled to attend and vote, in person or by proxy, at all general meetings of the Company;



and every holder of a participating policy of the Company for a sum not less than one thousand dollars, exclusive of bonus additions or profits, shall be entitled to one vote; but such policy-holders shall not be entitled, as such, to vote for the election of shareholders' directors. Every proxy representing a participating policy-holder must be himself a participating policy-holder and entitled to vote; and any such participating policy-holder who is not a shareholder shall be eligible for election as a policy-holders' director.

**9.** The policy-holders' directors shall meet with the shareholders' directors and shall have a vote upon all business matters. Joint meeting of directors.

**10.** At all meetings of the directors a majority shall be a quorum for the transaction of business. Quorum.

**2.** The directors shall elect from among themselves a president of the Company and one or more vice-presidents. President and vice-presidents.

**11.** The annual general meeting of the Company shall be held at its head office once in each year after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted. Annual meeting.

**2.** Notice of the annual meeting shall be given by publication in two issues of *The Canada Gazette* at least fifteen days prior to the meeting, and also in six consecutive issues of a daily newspaper published at the place where the head office of the Company is situated, and such notice, after section 8 hereof becomes operative, shall state that policy-holders may, in accordance with the provisions of this Act, vote for and elect six policy-holders' directors. Notice of annual meeting.

**12.** At all general meetings of the Company, each shareholder present or represented by proxy, who has paid all calls due upon his shares in the capital stock of the Company, shall have one vote for each share held by him. Every proxy representing a shareholder must be himself a shareholder and entitled to vote. Voting. Proxies.

**13.** The directors may, from time to time, set apart such portions of the net profits as they deem safe and proper for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof which has been derived from participating policies and distinguishing such part from the profits derived from other sources; and the holders of the participating policies shall be entitled to share in that portion of the profits so set apart which has been so distinguished as having been derived from participating policies to the extent of not less than ninety per cent thereof; but no dividend or bonus shall at any time be declared or paid out of Distribution of profits estimated

estimated profits, and the portion of such profits which remain undivided upon the declaration of a dividend shall never be less than one-fifth of the dividend declared.

Paid-up  
policies to be  
issued in  
certain cases.

**14.** Whenever any holder of a policy, other than a term or natural premium policy, has paid three or more annual premiums thereon and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited, but he shall be entitled to receive a paid up and commuted policy for such sum as the directors ascertain and determine, or to be paid in cash such sum as the directors fix as the surrender value of the policy, such sum in either case to be ascertained upon principles to be adopted by by-law applicable generally to all such cases as occur, or extended insurance under the policy for a period proportionate to such cash surrender value.

Terms to be  
inserted in  
policy.

2. The sum so ascertained and the duration for which insurance may be extended, based upon the assumption that the policy is not subject to any lien by way of loan or otherwise, shall be inserted in the policy and form a part of the contract between the Company and the insured.

Liens.

3. In the event of the policy being subject to any such lien when default is made in payment of a premium as aforesaid, such lien shall be taken into account in fixing the cash surrender value and the paid-up or commuted policy herein referred to.

Cash surren-  
der value  
applied to  
policy.

4. Until the policy-holder elects to accept such cash surrender value or such paid-up and commuted policy, such cash surrender value shall be applied by the Company to maintain the policy in force at its full face value until the whole of the surrender value under the policy is exhausted.

Loans to  
policy-  
holders.

**15.** The Company may make loans to its policy-holders, not being directors, on the securities mentioned in *The Insurance Act*.

R.S., c. 79.

**16.** Part II. of *The Companies Act*, except sections 125, 134, 141, 150, 165 and 168 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any provisions of this Act, or of *The Insurance Act*, or of any general Act relating to insurance passed during the present session of Parliament.

Application  
of Insurance  
Acts.

**17.** This Act, and the Company, and the exercise of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act*, and of any general Act relating to insurance passed during the present session of Parliament, and in any respect in which this Act is inconsistent with those Acts, the latter shall prevail.

Conflicting  
provisions.



## 7-8 EDWARD VII.

### CHAP. 166.

#### An Act to incorporate the Bank of Vancouver.

[Assented to 3rd April, 1908.]

**W**HEREAS a petition has been presented praying that it Preamble  
be enacted as hereinafter set forth, and it is expedient  
to grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House of  
Commons of Canada, enacts as follows:—

- 1.** The persons hereinafter named, together with such others Incorporation.  
as become shareholders in the corporation by this Act created,  
are hereby constituted a corporation by the name of "The Bank Corporate  
of Vancouver," hereinafter called "the Bank." name.
- 2.** The capital stock of the Bank shall be two million dollars. Capital stock
- 3.** The chief office of the Bank shall be in the city of Van- Chief office.  
couver, in the province of British Columbia.
- 4.** Thomas Wilson Paterson, James Alexander Mitchell and Provisional  
Frederic William Jones, of Victoria, James A. Harvey, of Cran- directors.  
brook, William Harold Malkin, Robert Purves McLennan and  
Henry Tracy Ceperley, of Vancouver, all in the province of Bri-  
tish Columbia, shall be the provisional directors of the Bank.
- 5.** This Act shall, subject to the provisions of section 16 of Duration of  
*The Bank Act*, continue in force until the first day of July, in charter.  
the year one thousand nine hundred and eleven. R.S., c. 29.







## 7-8 EDWARD VII.

### CHAP. 167.

#### An Act to incorporate the Vancouver Island and Eastern Railway Company.

[Assented to 16th June, 1908.]

**WHEREAS** a petition has been presented praying that it be Preamble.  
enacted as hereinafter set forth, and it is expedient to  
grant the prayer of the said petition: Therefore His Majesty,  
by and with the advice and consent of the Senate and House  
of Commons of Canada, enacts as follows:—

**1.** Thomas Wilson Paterson, Richard Carmichael Lowe, Incorporation.  
Thomas J. Jones and Henry Alexander Munn, all of the city of  
Victoria, in the county of Victoria, in the province of British  
Columbia; James Smith, of the city of Edmonton, in the pro-  
vince of Alberta; and Michael J. Haney, of the city of Toronto,  
in the province of Ontario, together with such persons as become  
shareholders in the company, are incorporated under the name  
of "The Vancouver Island and Eastern Railway Company," Corporate name.  
hereinafter called "the Company."

**2.** The undertaking of the Company is declared to be a work Declaratory.  
for the general advantage of Canada.

**3.** The persons named in section 1 of this Act are hereby Provisional directors.  
constituted provisional directors of the Company.

**4.** The capital stock of the Company shall be two million Capital  
five hundred thousand dollars. No one call thereon shall stock.  
exceed ten per cent on the shares subscribed.

**5.** The head office of the Company shall be in the city of Head office.  
Victoria, in the province of British Columbia.

**6.** The annual meeting of the shareholders shall be held on Annual meeting.  
the first Tuesday in September.

## Directors.

7. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

## Line of railway described

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in the city of Victoria, or from a point on Esquimalt harbour, in the county of Victoria, aforesaid, by the most practicable route and as nearly as may be in a northerly direction to a point at or near Seymour Narrows, on Vancouver Island, in the province of British Columbia, and may establish a ferry or ferries connecting the said railway with some point on Bute Inlet or on Frederick Inlet, in the province of British Columbia, and may lay out, construct and operate a railway of the gauge aforesaid from such point on Bute Inlet or Frederick Inlet, aforesaid, by the most practicable route and as nearly as may be in an easterly direction through the Yellowhead Pass to a point at or near the city of Edmonton, in the province of Alberta.

## Joint line through difficult country.

R.S., c. 37.  
s. 176.

2. Whenever, in the opinion of the Board of Railway Commissioners for Canada, owing to the configuration of any portion of the country through which the Company's line of railway passes, it is impracticable or unduly expensive to build more than one line of railway through that portion of country, the provisions of section 176 of *The Railway Act* shall apply as regards the Company and any other company authorized to construct a line of railway through that portion of country; but nothing in this section of this Act shall be deemed to limit or restrain in any way the application of the said section 176.

Special powers.  
Vessels.

9. The Company may, for the purposes of its undertaking,—

(a) construct, acquire and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith;

## Buildings.

## Water power, compressed air, electricity.

(b) acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting, heating or motor purposes, and may, subject to the approval of the Board of Railway Commissioners for Canada, and subject to section 247 of *The Railway Act*, supply, sell or otherwise dispose of surplus power generated by the Company's works and not required for the undertaking of the Company; and for the purposes of such acquisition, utilization and disposal, construct, operate and maintain lines for the conveyance of light, heat, power and electricity;

## Distribute power.

(c) acquire electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway is authorized to be built; and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof.

**10.** The securities issued by the Company shall not exceed fifty thousand dollars per mile of the railway from a point in the city of Victoria or from a point on Esquimalt harbour to a point on the eastern side of the Rocky Mountains, and thirty thousand dollars per mile of the railway from a point on the eastern side of the Rocky Mountains into the city of Edmonton, and may be issued only in proportion to the length of railway constructed or under contract to be constructed. Issue of securities.

**11.** The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon and along its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and connect its own lines with the lines of, or lease its own lines to, any such companies. Telegraph and telephone lines.

2. No toll or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time. Tolls.

3. Part II. of *The Telegraphs Act* shall apply to the telegraphic business of the Company. R.S., c. 126.

**12.** The Company, having been first authorized by a resolution passed at any annual meeting, or at a special general meeting of the shareholders duly called for that purpose, may from time to time issue bonds, debentures or other securities for the purchase of lands, the construction or acquisition of any vessels, or other properties, or works of any kind, other than the railways which the Company is authorized to acquire or operate; but such bonds, debentures or other securities shall not exceed in amount the value of such vessels, properties and works. Issue of bonds for property other than railway.

**13.** Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company and the Canadian Northern Railway Company, or any of them. Agreements with other companies.







## 7-8 EDWARD VII.

### CHAP. 168.

#### An Act for the relief of Andrew Walker.

*[Assented to 16th June, 1908.]*

**W**HEREAS Andrew Walker, of Wychwood Park, county of <sup>Preamble.</sup> York, in the province of Ontario, clerk, has by his petition alleged, in effect, that on the eleventh day of July, A.D. 1885, at East Mains, in the county of Midlothian, Scotland, he was lawfully married to Janet Macdonald of the said place, spinster; that his legal domicile is now in Canada; that at Penhold, then in the Northwest Territories, now in the province of Alberta, in the year A.D. 1904, she committed adultery with one John Cross, and is now living with the said John Cross as his wife at the city of Winnipeg, in the province of Manitoba; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The said marriage between the said Andrew Walker and the said Janet Macdonald, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. <sup>Marriage dissolved.</sup>

**2.** The said Andrew Walker may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Janet Macdonald had not been solemnized. <sup>Right to marry again.</sup>





## 7-8 EDWARD VII.

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### CHAP. 169.

#### An Act respecting the West Ontario Pacific Railway Company.

[Assented to 12th February, 1908.]

**W**HEREAS the West Ontario Pacific Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1885, c. 87;  
1886, c. 70;  
1887, c. 62;  
1888, c. 53;  
1906, c. 178.

**1.** The West Ontario Pacific Railway Company may commence the construction of its branch line of railway authorized by section 1 of chapter 178 of the statutes of 1906 within two years after the passing of this Act, and may complete the said branch and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced, or if the said railway is not completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said branch as then remains uncompleted.

Time for  
construction  
of branch line  
extended.

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## 7-8 EDWARD VII.

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### CHAP. 170

#### An Act respecting the Western Alberta Railway Company.

[Assented to 16th June, 1908.]

**W**HEREAS the Western Alberta Railway Company has by <sup>Preamble.</sup>  
its petition prayed that it be enacted as hereinafter set  
forth, and it is expedient to grant the prayer of the said petition: <sup>1898, c. 90;</sup>  
Therefore His Majesty, by and with the advice and consent of <sup>1900, c. 85;</sup>  
the Senate and House of Commons of Canada, enacts as fol- <sup>1903, c. 200;</sup>  
lows:— <sup>1905, c. 176.</sup>

**1.** The Western Alberta Railway Company may commence <sup>Time for</sup>  
the construction of its railway, and expend fifteen per cent of <sup>construction</sup>  
the amount of its capital stock thereon, within two years after <sup>of railway</sup>  
the passing of this Act, and may complete the said railway and <sup>extended.</sup>  
put it in operation within five years after the passing of this  
Act; and if, within the said periods respectively, the said rail-  
way is not so commenced and such expenditure is not so made,  
or if the said railway is not so completed and put in operation,  
the powers of construction conferred upon the said Company by  
Parliament shall cease and be null and void as respects so much  
of the said railway as then remains uncompleted.

**2.** Section 1 of chapter 176 of the statutes of 1905 is hereby <sup>1905, c. 176,</sup>  
repealed. <sup>s. 1 repealed.</sup>

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most Excellent Majesty.





## 7-8 EDWARD VII.

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### CHAP. 171.

#### An Act respecting the Windsor, Chatham and London Railway Company.

*[Assented to 3rd April, 1908.]*

**W**HEREAS the Windsor, Chatham and London Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1906, c. 183.

**1.** The construction of the railway of the Windsor, Chatham and London Railway Company may be commenced, and fifteen per cent of the capital stock expended thereon, within two years after the passing of this Act; and the said railway may be completed and put in operation within five years after the passing of this Act; and if the said railway be not commenced and such expenditure be not made, or if the said railway is not completed and put in operation, within the said respective periods, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for  
construction  
of railway  
extended.

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most Excellent Majesty.







## 7-8 EDWARD VII.

### CHAP. 172.

#### An Act respecting patents of the Windsor Pump and Foundry Company, Limited.

[Assented to 17th March, 1908.]

**W**HEREAS the Windsor Pump and Foundry Company, Preamble.  
Limited, of the city of Windsor, in the county of Essex,  
and province of Ontario, has by its petition represented that  
it is the holder and owner of patent number seventy-two thou-  
sand nine hundred and twenty-two, dated the third day of  
September, one thousand nine hundred and one, issued to one  
William S. McLeod, under the seal of the Patent Office, for  
improvements in pumps; and whereas the said company has  
prayed that it be enacted as hereinafter set forth, and it is  
expedient to grant the prayer of the said petition: Therefore  
His Majesty, by and with the advice and consent of the Senate  
and House of Commons of Canada, enacts as follows:—

**1.** Notwithstanding anything in *The Patent Act*, or in the  
patent mentioned in the preamble, the Commissioner of Patents  
may, within six months after the passing of this Act, receive  
from the holder of the said patent applications for certificates  
of payment and the usual fees upon the said patent for one or  
two further terms, and may grant and issue to such holder the  
certificates of payment of further fees provided by *The Patent* Extension  
of duration  
of patent.  
*Act*, and extensions of the period of duration of the said patent  
in as full and ample a manner as if the application therefor had  
been duly made within six years from the date of the said  
patent. R.S., c. 69.

**2.** If any person, other than the holder, has, in the period  
between the expiry of six years from the date of the said patent  
and the sixteenth day of November, one thousand nine  
hundred and seven, commenced to manufacture, use and sell  
in Canada any of the inventions covered by the said patent,  
such Existing  
rights saved

Proviso.

such person may continue to manufacture, use and sell any of such inventions in as full and ample a manner as if this Act had not been passed: Provided that this exemption shall not extend to any person who, without the consent of the holder of the said patent, has commenced the construction or manufacture of such invention before the expiry of the said patent.

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## 7-8 EDWARD VII.

### CHAP. 173.

#### An Act to incorporate the Bank of Winnipeg.

[Assented to 3rd April, 1908.]

**W**HEREAS the persons hereinafter named have, by their Preamble.  
petition, prayed that an Act be passed for the purpose  
of establishing a bank in Canada, and it is expedient to grant  
the prayer of the said petition: Therefore His Majesty, by and  
with the advice and consent of the Senate and House of Com-  
mons of Canada, enacts as follows:—

**1.** The persons hereinafter named, together with such others Incorporation.  
as become shareholders in the corporation by this Act created, tion.  
are hereby constituted a corporation by the name of "The Corporate  
Bank of Winnipeg," hereinafter called "the Bank." name.

**2.** The capital stock of the Bank shall be two million dollars. Capital.

**3.** The chief office of the Bank shall be at the city of Winni- Chief office  
peg, in the province of Manitoba.

**4.** Charles F. P. Conybeare, of the town of Lethbridge, in Provisional  
the province of Alberta, W. E. Seaborn, of the city of Moosejaw, directors.  
in the province of Saskatchewan, Frank Denton, of the city of  
Toronto, in the province of Ontario, Clarence H. F. Bell, and  
Horace Chevrier, both of the city of Winnipeg, in the province  
of Manitoba, shall be the provisional directors of the Bank.

**5.** This Act shall, subject to the provisions of section 16 of Duration of  
*The Bank Act*, remain in force until the first day of July, in charter.  
the year one thousand nine hundred and eleven. R.S., c. 29,  
s. 16.









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